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FEDERAL REGISTER

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Codification Guide

The following numerical guide is a list of the parts of each title of the Code of Federal Regulations affected by documents published in today's issue. A cumulative list of parts affected, covering the current month to date, appears at the end of each issue beginning with the second issue of the month.

Monthly, quarterly, and annual cumulative guides, published separately from the daily issues, include the section numbers as well as the part numbers affected.

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Rules and Regulations

Title 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 6—EXCEPTIONS FROM THE COMPETITIVE SERVICE

Housing and Home Finance Agency

Effective upon publication in the FEDERAL REGISTER, subparagraph (3) is added to § 6.342(d) as set out below.

§ 6.342 Housing and Home Finance Agency.

* * * * *

(d) *Federal National Mortgage Association.* * * *

(3) The Secretary-Treasurer.

(R.S. 1753, sec. 2, 22 Stat. 403, as amended; 5 U.S.C. 631, 633)

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] MARY V. WENZEL,
Executive Assistant.

[F.R. Doc. 60-4375; Filed, May 13, 1960; 8:48 a.m.]

Title 6—AGRICULTURAL CREDIT

Chapter V—Agricultural Marketing Service, Department of Agriculture

SUBCHAPTER A—GENERAL REGULATIONS AND POLICIES

[Amdt. 3]

PART 503—DONATION OF FOOD COMMODITIES FOR USE IN UNITED STATES FOR SCHOOL LUNCH PROGRAMS, SUMMER CAMPS FOR CHILDREN, AND RELIEF PURPOSES, AND IN STATE CORRECTIONAL INSTITUTIONS FOR MINORS

Availability of Commodities

This amendment is for the purpose of inserting "insofar as practicable" in the third sentence of § 503.4(b) of this part, and to make clear that distribution of section 6 commodities is limited to certain schools. Paragraph (b) of § 503.4 is amended to read as follows:

(b) *Quantities.* The quantity of commodities to be made available for donation under this part shall be determined in accordance with the pertinent legislation and the program obligations of the Department, and shall be such as can be effectively distributed in furtherance of the objectives of the pertinent legislation. The Department may, at its discretion, restrict distribution of commodities to one or more classes of recipient agencies or recipients. When this is done, priority insofar as practicable shall be given to recipient agencies or recipients in the following order: (1) Schools, (2) needy Indians receiving commodities on reservations, institutions, State correctional institutions for minors, and nonprofit summer camps for children, and (3) other needy persons. Notwithstanding the foregoing priorities, if any commodity determined by the Secretary to be a surplus agricultural commodity under section 106 of the Agricultural Trade Development and Assistance Act of 1954, as amended, is made available for donation under this part, distribution thereof shall be made to needy families and persons, including needy Indians receiving commodities on reservations, and to institutions; and any quantity of such commodity in excess of that reasonably necessary to meet the needs of such recipients and recipient agencies may be distributed to schools, State correctional institutions for minors, and nonprofit summer camps for children, in that order. Donations to disaster organizations may be made without regard to any of the priorities established herein. The foregoing provisions of this paragraph with respect to establishing priorities are not applicable to section 6 commodities, distribution of which is limited by law to schools operating lunch programs under the National School Lunch Act.

(R.S. 161, sec. 416, 63 Stat. 1058, as amended; 5 U.S.C. 22, 7 U.S.C. 1431)

Effective date. This amendment shall be effective as of date of publication.

TRUE D. MORSE,
Acting Secretary.

MAY 11, 1960.

[F.R. Doc. 60-4391; Filed, May 13, 1960; 8:50 a.m.]

Title 7—AGRICULTURE

Chapter VII—Commodity Stabilization Service (Farm Marketing Quotas and Acreage Allotments), Department of Agriculture

PART 728—WHEAT

Subpart—1961-62 Marketing Year

Sec.

AUTHORITY: §§ 728.1101 to 728.1105 issued under sec. 375, 52 Stat. 66; 7 U.S.C. 1375. Interpret or apply secs. 301, 333, 334, 335, 52 Stat. 38, 53, 67 Stat. 151; 7 U.S.C. 1301, 1333, 1334, 1335.

§ 728.1101 Basis and purpose.

(a) The regulations contained in §§ 728.1101 to 728.1105 are issued (1) to proclaim the national marketing quota for wheat for the marketing year beginning July 1, 1961, (2) to proclaim the 1961 national acreage allotment for wheat, (3) to apportion among the several States the 1961 national acreage for wheat, and (4) to designate the States outside the commercial wheat-producing area for the 1961-62 marketing year.

(b) Section 335 of the Agricultural Adjustment Act of 1938, as amended, provides that whenever in any calendar year the Secretary of Agriculture determines (1) that the total supply of wheat for the marketing year beginning in such calendar year will exceed the normal supply for such marketing year by more than 20 per centum or (2) that the total supply for wheat for the marketing year ending in such calendar year is not less than the normal supply for such marketing year and that the average farm price for wheat for three consecutive months of such marketing year did not exceed 66 per centum of parity, the Secretary shall, not later than May 15 of such calendar year, proclaim such fact and a national marketing quota shall be in effect with respect to the marketing of wheat during the marketing year beginning July 1 of the next succeeding calendar year.

(c) Section 332 of the Act provides that not later than May 15 of each calendar year the Secretary shall ascertain and proclaim the national acreage allotment for the crop of wheat produced in the next succeeding calendar year. Section 333 of the Act, as amended, provides that the national acreage allotment for any crop of wheat shall be that acreage which the Secretary determines will, on the basis of the national average yield of wheat, produce an amount thereof adequate, together with the estimated carry-over at the beginning of the marketing year for such crops and imports, to make available a supply for such marketing year equal to a normal year's domestic consumption and exports plus 30 per centum thereof, but such national acreage allotment cannot be less than 55 million acres.

(d) Section 334(a) of the Act, as amended, provides that the 1961 national acreage allotment for wheat (less a reserve of not to exceed one per centum thereof for apportionment to counties in addition to the county allotments made under section 334(b) of the Act on the basis of the relative needs of counties for additional allotment because of new areas coming into the production of wheat during the preceding ten years) shall be apportioned among the several States on the basis of the acreage seeded for the production of wheat during the ten calendar years 1950 to 1959 (plus, in applicable years, the acreage diverted from wheat under agricultural adjust-

ment and conservation programs), with adjustments for abnormal weather conditions and for trends in acreage during such period.

(e) Section 335(e) of the Act, as amended, provides that if, for the 1961–62 marketing year, the acreage allotment for wheat for any State is 25,000 acres or less, the Secretary, in order to promote efficient administration of the Act and the Agricultural Act of 1949, may designate such State as outside the commercial wheat-producing area for such marketing year. No farm marketing quota or acreage allotment for wheat shall be applicable in such marketing year to any farm in any State so designated; and no acreage allotment in any other State shall be increased by reason of such designation.

(f) (1) The findings and determinations by the Secretary contained in §§ 728.1102, 728.1103 and 728.1104 have been made on the basis of the latest available statistics of the Federal Government as required by section 301(c) of the Agricultural Adjustment Act of 1938, as amended. In making the findings and determinations contained in § 728.1104 the State wheat acreage estimates of the Agricultural Marketing Service of this Department were used for the years 1950–56, inclusive, adjusted where necessary to reflect the acreages of wheat used for green manure, cover crops, hay, and silage, in all States, the acreage planted to Durum Wheat (Class II) under Public Law 290, 83d Congress, and Public Law 8, 84th Congress, in the States of Minnesota, Montana, North Dakota, and South Dakota, and Public Law 431, 84th Congress, in the States of North Dakota, Minnesota, Montana, South Dakota, and California, as indicated by statistics of the Commodity Stabilization Service of this Department, and the acreage of wheat used for wheat mixtures in States approved for this practice in 1959 and prior years. For the 1961 crop year no States have been approved for the wheat mixture practice. However, since the change will not be effective with the crops prior to 1960, no change was made in determining wheat history acreage for the 1958 and prior crops. For States for which wheat acreage estimates are not compiled by the Agricultural Marketing Service, and for the 1957, 1958, and 1959 crop years, statistics of the Commodity Stabilization Service were used.

(2) Credit for wheat diversion in 1950 was computed on a county basis for each State by subtracting from the total 1950 base acreage of wheat established for farms in the respective counties on which the acreage seeded to wheat in 1950 did not exceed the 1950 farm acreage allotment, the larger of (i) the total 1950 wheat acreage seeded on such farms or (ii) 90 percent of the total 1950 wheat acreage allotments established for such farms.

(3) Credit for wheat diversion in 1951 was also computed on a county basis for each State. However, no diversion credit was computed for counties in which only spring wheat was seeded, because wheat acreage allotments for 1951 were suspended before any spring wheat was seeded. For counties in which only winter wheat was seeded, diversion credit for 1951 was computed by subtracting from the county base acreage of wheat established under the 1951 wheat acreage allotment program the larger of (i) the total 1951 wheat acreage seeded in the county or (ii) the 1951 county wheat acreage allotment, except that no diversion credit was allowed where the total 1951 wheat acreage seeded in the county exceeded the 1951 county base acreage of wheat.

(4) For counties in which both winter and spring wheat was needed, diversion credit for 1951 was computed in the same manner as for counties in which winter wheat was seeded, except that the respective results were adjusted by a decimal factor which was obtained by dividing the total acreage of winter wheat seeded in the county during the preceding three years by the total acreage of all wheat seeded in the county during the same years.

(5) Credit for wheat diversion in 1954 was computed on a farm basis rather than on a county basis and was determined as follows: If the 1954 wheat acreage allotment was knowingly exceeded, no credit for diversion was allowed. If the 1954 allotment was not knowingly exceeded and the 1954 wheat acreage was 90 per centum or more of the farm allotment, the diversion credit allowed was the difference between the base acreage and the 1954 wheat acreage. If the 1954 wheat acreage was less than 90 per centum of the allotment, the maximum diversion credit for the farm was determined by dividing the 1954 wheat acreage by 90 per centum of the county scaling factor and subtracting from this result the 1954 wheat acreage.

(6) Credit for wheat diversion in 1955 and 1956 was computed on a farm basis in a similar manner as for 1954, except that for 1956 there was added to the computed wheat diversion for each farm, the acreage placed in the 1956 acreage reserve program for wheat which was not planted to wheat.

(7) For the years 1954, 1955, and 1956, the State diversion credit for wheat was determined by obtaining the sums of the computed farm diversion credits for each year. For the States of Minnesota, Montana, North Dakota, and South Dakota the acreages of Durum Wheat (Class II) grown within the allotment increases made for 1954 under Public Law 290, 83d Congress, for 1955 under Public Law 431, 84th Congress, and for 1956 under Public Law 431, 84th Congress, were deducted from the 1954, 1955, and 1956 State wheat acreages, respectively, adjusted as described above so that such increases made for Durum Wheat (Class II) would not be reflected in the determination of future allotments as provided by those acts. For the State of California a similar adjustment was made in the 1956 State wheat acreage for Durum Wheat (Class II).

(8) Adjustments for abnormal weather conditions were determined on a county basis for each State, because the nature of such adjustments does not permit their determination at the State level. Such adjustments in the county wheat acreage estimates were approved only for counties for which the ASC State committees had determined that the wheat acreage needed and diverted for any year of the 10-year period was below normal due to abnormal weather conditions. Counties thus approved which had wheat acreage plus diverted acreage for the year in question lower than the level represented by 90 percent of the most recent previous normal year's acreage or 110 percent of the previous 10-year average wheat acreage plus diverted acreage, whichever was less, were increased to such level. The State wheat acreage estimates of the Agricultural Marketing Service, as previously adjusted, were increased by an acreage equal to the difference between the wheat acreage plus diversion and the acreage substituted in lieu thereof as an adjustment for abnormal weather, for all applicable counties in the State.

(9) The 1957 wheat acreage data as compiled from Commodity Stabilization Service statistics included the following as wheat acreage: (i) Acreage actually seeded on the farms and classified as wheat under marketing quota regulations, less the acreage of Durum Wheat (Class II) grown within the allotment increases under Public Law 85–13; (ii) the amount by which the acreage on a farm was less than the wheat acreage allotment, except those farms underplanting the allotment for the purpose of depleting stored excess; (iii) the acreage diverted from the production of wheat on complying farms; and (iv) the acreage released and reapportioned to farms under regulations issued by the Secretary governing the temporary release and reapportionment of such acreage.

(10) Section 334 of the Agricultural Adjustment Act of 1938, as amended, was amended by Public Law 85–203, to add the following:

> Notwithstanding any other provision of law, no acreage in the commercial wheat-producing area seeded to wheat for harvest as grain in 1958 or thereafter in excess of acreage allotments shall be considered in establishing future State and county acreage allotments except as prescribed in the provisos to the first sentence of subsections (a) and (b), respectively, of this section.

(11) Under the provisions of this amendment, only the allotment can be counted as wheat acreage history on any farm on which the allotment was overseeded for the 1958 crop year. The acreage data for 1958 compiled from Commodity Stabilization Service statistics was the sum of the following: (i) The wheat acreage allotment for all farms on which the allotment was overseeded; (ii) the wheat acreage base on all farms complying with the wheat acreage allotment, except those farms underplanting the allotment for the purpose of depleting stored excess; and (iii) for those farms underplanting the allotment for the purpose of depleting stored excess, the acreage actually classified as wheat under marketing quota regulations, plus the diversion credit determined by multiplying the acreage seeded by the reciprocal of the county scaling factor.

(12) Section 334 of the Agricultural Adjustment Act of 1938, as amended, was

amended by Public Law 86–419, to add the following:

(d) For the purpose of subsections (a), (b), and (c) of this section, any farm (1) to which a wheat marketing quota is applicable; and (2) on which the acreage planted to wheat exceeds the farm wheat acreage allotment; and (3) on which the marketing excess is zero shall be regarded as a farm on which the entire amount of the farm marketing excess has been delivered to the Secretary or stored in accordance with applicable regulations to avoid or postpone the payment of the penalty. This subsection shall be applicable in establishing the acreage seeded and diverted and the past acreage of wheat for 1959 and subsequent years in the apportionment of allotment beginning with the 1961 crop of wheat. For the purpose of clause (1) of this subsection, a farm with respect to which an exemption has been granted under section 335(f) for any year shall not be regarded as a farm to which a wheat marketing quota is applicable for such year, even though such exemption should become null and void because of a violation of the conditions of the exemption.

Under the provisions of this amendment and under the exceptions as prescribed in the provisos to Public Law 85–203, only the allotment can be counted as wheat acreage history on any farm on which the allotment is overseeded, unless the entire amount of the marketing quota excess is stored or delivered to the Secretary to avoid or postpone the payment of penalty, and none of such excess has been depleted, or the excess has been adjusted to zero because of underproduction. The 1959 wheat acreage data compiled from Commodity Stabilization Service statistics was the sum of the following: (i) The wheat acreage allotment for all farms on which the allotment was overseeded, except those farms on which the entire amount of the marketing quota excess was stored or delivered to the Secretary to avoid or postpone the payment of penalty, and none of such excess was depleted, or the marketing quota excess was adjusted to zero because of underproduction; (ii) The wheat base acres on all farms on which the allotment was overseeded and on which the entire amount of the marketing quota excess was stored or delivered to the Secretary to avoid or postpone payment of penalty, and none of such excess was depleted, or the marketing quota excess was adjusted to zero because of underproduction; (iii) The wheat base acres on all farms complying with the wheat acreage allotment, except those farms underplanting the allotment for the purpose of depleting stored excess; and (iv) For those farms underplanting the allotment for the purpose of deleting stored excess, the acreage actually classified as wheat under marketing quota regulations, plus the diversion credit determined by multiplying the acreage seeded by the reciprocal of the county scaling factor.

(13) A preliminary adjustment for trend was made by deducting from the State wheat acreage history, as computed in accordance with the preceding paragraphs, the wheat acreage history for the years 1955 through 1958 for those farms which have been removed from agricultural production due to the encroachment of urban and industrial development.

(14) Further adjustments for trends in acreage during the applicable base period were made for each State by first computing an average of the adjusted State wheat acreage estimates for the 10-year period, 1950–59, and the 5-year period, 1955–59, and then computing for each State the mid-point of such 10-year and 5-year average acreages.

(15) The effect of this adjustment for trend was limited to not permitting the finally determined base acres to vary from the average of the 10-year period (1950–59) by more than 3 per centum.

(16) It is hereby found and determined that the statistics of the Agricultural Marketing Service, as so adjusted and supplemented by data compiled by the Commodity Stabilization Service, constitute the latest available and most reliable statistics of the Federal Government.

(g) Prior to proclaiming the national marketing quota for wheat for the 1961–62 marketing year and the 1961 national acreage allotment for wheat, the apportionment of the 1961 national acreage allotment for wheat among the several States, the designation of States outside the commercial wheat-producing area for the 1961–62 marketing year, and notice of date for holding referendum on marketing quotas for the 1961 crop of wheat, public notice of the proposed action was given (25 F.R. 218) in accordance with Section 4 of the Administrative Procedure Act (5 U.S.C. 1003). No views, data, or recommendations were received pursuant to such notice.

(h) Since the Agricultural Adjustment Act of 1938, as amended, requires the holding of a referendum of wheat producers who will be subject to the marketing quotas proclaimed on the 1961 crop not later than July 24, 1960, to determine whether such producers favor or oppose such marketing quotas and requires, insofar as practicable, the mailing of notices of farm acreage allotments to farm operators in sufficient time to be received prior to the date of the referendum and since farm acreage allotments cannot be established until the national acreage allotment for wheat has been apportioned among States and counties, and the States outside the commercial wheat-producing area for the 1961–62 marketing year have been designated, it is hereby found that the proclamations and determinations contained herein shall become effective upon filing with the Director, Division of the Federal Register.

§ 728.1102 National marketing quota for wheat for the 1961–62 marketing year.

The total supply of wheat for the 1960–61 marketing year is determined to be 2,538 million bushels, consisting of an estimated carry-over on July 1, 1960, of 1,320 million bushels, an estimated production in 1960 of 1,210 million bushels, and estimated imports during the 1960–61 marketing year of 8 million bushels. The normal supply of wheat for such marketing year is determined to be 1,320 million bushels, consisting of 625 million bushels for estimated domestic consumption for the 1959–60 marketing year, 475 million bushels for estimated exports for the 1960–61 marketing year, plus 20 per centum of such consumption and exports. Since the total supply exceeds normal supply by more than 20 per centum, a national marketing quota shall be in effect with respect to the marketing of wheat during the 1961–62 marketing year.

§ 728.1103 1961 national acreage allotment for wheat.

A normal year's domestic consumption of 619 million bushels and exports of 417 million bushels of wheat plus 30 per centum thereof is determined to be 1,347 million bushels. The estimated carry-over of wheat for the marketing year beginning July 1, 1961, is 1,435 million bushels. Imports of wheat during the 1961–62 marketing year are estimated to be 8 million bushels. With the estimated carry-over and imports exceeding a normal year's domestic consumption and exports plus 30 per centum thereof, the national acreage allotment of wheat for the 1961 crop is determined to be zero acres. Since this amount is less than the minimum provided by law, the national acreage allotment of wheat for the 1961 crop shall be 55 million acres.

§ 728.1104 Apportionment of the 1961 national acreage allotment of wheat among the several States.

The national acreage allotment proclaimed in § 728.1103, less a reserve of fifty-five thousand acres for additional allotments to counties, is hereby apportioned among the several States as follows:

State:	*Acreage allotment*
Alabama	40,332
Alaska [1]	21
Arizona	35,665
Arkansas	62,988
California	427,726
Colorado	2,662,998
Connecticut [1]	546
Delaware	32,762
Florida [1]	4,311
Georgia	111,395
Hawaii	0
Idaho	1,177,974
Illinois	1,442,835
Indiana	1,126,379
Iowa	128,851
Kansas	10,661,056
Kentucky	213,954
Louisiana [1]	18,530
Maine [1]	1,285
Maryland	175,370
Massachusetts [1]	739
Michigan	958,637
Minnesota	719,031
Mississippi	42,079
Missouri	1,352,131
Montana	4,013,478
Nebraska	3,166,224
Nevada [1]	12,768
New Hampshire [1]	66
New Jersey	51,454
New Mexico	475,831
New York	321,829
North Carolina	292,908
North Dakota	7,375,765
Ohio	1,517,385
Oklahoma	4,869,786
Oregon	842,927
Pennsylvania	555,818
Rhode Island [1]	478
South Carolina	140,712
South Dakota	2,732,937
Tennessee	190,801
Texas	4,047,186

[1] Designated noncommercial wheat State.

State—Continued	Acreage allotment
Utah	307,254
Vermont [1]	565
Virginia	252,155
Washington	2,013,247
West Virginia	36,064
Wisconsin	43,619
Wyoming	286,198
Total apportioned to States	54,945,000
National reserve	55,000
Total national allotment	55,000,000

[1] Designated noncommercial wheat State.

§ 728.1105 Designation of States outside the commercial wheat-producing area for the 1961–62 marketing year.

The 1961 State acreage allotment of wheat for each of the States of Alaska, Connecticut, Florida, Hawaii, Louisiana, Maine, Massachusetts, Nevada, New Hampshire, Rhode Island, and Vermont, as issued under § 728.1104, was twenty-five thousand acres or less. In order to promote efficient administration of the Act, each of the States mentioned in this section is hereby designated as outside the commercial wheat-producing area for the 1961–62 marketing year. Accordingly, the commercial wheat-producing area for the 1961–62 marketing year, in which the provisions of §§ 728.1010 to 728.1024 shall be applicable, shall consist of all States in the continental United States except States herein above-mentioned.

Issued at Washington, D.C., this 10th day of May 1960.

E. T. BENSON,
Secretary.

[F.R. Doc. 60-4359; Filed, May 13, 1960; 8:46 a.m.]

Chapter IX—Agricultural Marketing Service (Marketing Agreements and Orders), Department of Agriculture

[Valencia Orange Reg. 197]

PART 922—VALENCIA ORANGES GROWN IN ARIZONA AND DESIGNATED PART OF CALIFORNIA

Limitation of Handling

§ 922.497 Valencia Orange Regulation 197.

(a) *Findings.* (1) Pursuant to the marketing agreement and Order No. 22, as amended (7 CFR Part 922), regulating the handling of Valencia oranges grown in Arizona and designated part of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), and upon the basis of the recommendations and information submitted by the Valencia Orange Administrative Committee, established under the said marketing agreement and order, as amended, and upon other available information, it is hereby found that the limitation of handling of such Valencia oranges as hereinafter provided will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication hereof in the FEDERAL REGISTER (5 U.S.C. 1001–1011) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The committee held an open meeting during the current week, after giving due notice thereof, to consider supply and market conditions for Valencia oranges and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such Valencia oranges; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period herein specified; and compliance with this section will not require any special preparation on the part of persons subject hereto which cannot be completed on or before the effective date hereof. Such committee meeting was held on May 12, 1960.

(b) *Order.* (1) The respective quantities of Valencia oranges grown in Arizona and designated part of California which may be handled during the period beginning at 12:01 a.m., P.s.t., May 15, 1960, and ending at 12:01 a.m., P.s.t., May 22, 1960, are hereby fixed as follows:

(i) District 1: 500,000 cartons;

(ii) District 2: 409,524 cartons;

(iii) District 3: Unlimited movement.

(2) All Valencia oranges handled during the period specified in this section are subject also to all applicable size restrictions which are in effect pursuant to this part during such period.

(3) As used in this section, "handled," "handler," "District 1," "District 2," "District 3," and "carton" have the same meaning as when used in said marketing agreement and order, as amended.

(Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674)

Dated: May 13, 1960.

FLOYD F. HEDLUND,
Deputy Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[F.R. Doc. 60-4466; Filed, May 13, 1960; 11:16 a.m.]

[Lemon Reg. 846]

PART 953—LEMONS GROWN IN CALIFORNIA AND ARIZONA

Limitation of Handling

§ 953.953 Lemon Regulation 846.

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 53, as amended (7 CFR Part 953; 23 F.R. 9053), regulating the handling of lemons grown in California and Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.; 68 Stat. 906, 1047), and upon the basis of the recommendation and information submitted by the Lemon Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such lemons as hereinafter provided will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication hereof in the FEDERAL REGISTER (60 Stat. 237; 5 U.S.C. 1001 et seq.) because the time intervening between the date when information upon which this section is based become available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The committee held an open meeting during the current week, after giving due notice thereof, to consider supply and market conditions for lemons and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such lemons; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period herein specified; and compliance with this section will not require any special preparation on the part of persons subject hereto which cannot be completed on or before the effective date hereof. Such committee meeting was held on May 10, 1960.

(b) *Order.* (1) The respective quantities of lemons grown in California and Arizona which may be handled during the period beginning at 12:01 a.m., P.s.t., May 15, 1960, and ending at 12:01 a.m.,

P.s.t., May 22, 1960, are hereby fixed as follows:

(i) District 1: Unlimited movement;

(ii) District 2: 372,000 cartons;

(iii) District 3: Unlimited movement.

(2) As used in this section, "handled," "District 1," "District 2," "District 3," and "carton" have the same meaning as when used in the said amended marketing agreement and order.

(Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674)

Dated: May 12, 1960.

FLOYD F. HEDLUND,
Acting Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[F.R. Doc. 60–4429; Filed, May 13, 1960; 9:02 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter III—Federal Aviation Agency

SUBCHAPTER C—AIRCRAFT REGULATIONS

[Reg. Docket No. 252; Amdt. 144]

PART 507—AIRWORTHINESS DIRECTIVES

Boeing 707 Aircraft

Correction

In F.R. Document 60–4116 appearing in the issue for Saturday, May 7, 1960, at page 4076, make the following change: In paragraph (c), line 2, the parenthetical material should read "(±0.5 degrees)".

Title 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

SUBCHAPTER C—REGULATIONS UNDER SPECIFIC ACTS OF CONGRESS

PART 303—RULES AND REGULATIONS UNDER THE TEXTILE FIBER PRODUCTS IDENTIFICATION ACT

Miscellaneous Amendments

On February 23, 1960, a notice of proposed rule making was issued by the Commission and published in the FEDERAL REGISTER on February 24, 1960. Such notice stated that the Commission would on March 10, 1960, at its offices in the City of Washington, District of Columbia, give consideration to an amendment of §§ 303.14, 303.16(b), 303.29(a) and 303.45 (Rules 14, 16(b), 29(a) and 45) of Part 303, Rules and Regulations under the Textile Fiber Products Identification Act. Such notice provided that interested parties might participate by submitting in writing to the Commission on or before such date their views, arguments or other data and further provided that written rebuttal could be submitted until March 16, 1960. A draft of the proposed amendments was made a part of the notice.

Pursuant to such notice, interested parties were afforded an opportunity to submit their views, arguments or other data in writing through March 10, 1960, and opportunity was afforded for the submission of written rebuttal until March 15, 1960. All views, arguments and data presented have been made a part of the record.

After due consideration of the proposed amendments, suggested revisions, deletions and additions thereto, together with all views, arguments and other data submitted, the following amendments to §§ 303.14, 303.16(b), 303.29(a) and 303.45 (Rules 14, 16(b), 29(a) and 45) or Part 303, Rules and Regulations under the Textile Fiber Products Identification Act (72 Stat. 1717, 15 U.S.C. 70) are hereby promulgated. Inasmuch as all of the amendments involve a relaxation of the previous requirements of such Rules, such amendments are hereby made effective upon publication in the FEDERAL REGISTER.

The amendments are as follows:

1. An amendment of § 303.14 (Rule 14) under the authority of section 7(c) so as to extend the application of § 303.14 (Rule 14) to products composed in part of miscellaneous scraps, rags, odd-lots, textile byproducts, secondhand materials or waste material of unknown and for practical purposes undeterminable fiber content and in part of known or determinable fibers. The amended rule further permits more concise terminology to be utilized without relaxing the basic requirements of the rule as to the information required to be disclosed with reference to products or portions of products composed of miscellaneous scraps, odd lots, textile byproducts, secondhand materials or waste material of unknown and for practical purposes undeterminable fiber content. As amended, the rule reads as follows:

§ 303.14 Products containing unknown fibers.

(a) Where a textile fiber product is made from miscellaneous scraps, rags, odd lots, secondhand materials, textile by-products, or waste materials of unknown, and for practical purposes, undeterminable fiber content, the required fiber content disclosure may, when truthfully applicable, in lieu of the fiber content disclosure otherwise required by the Act and regulations, indicate that such product is composed of miscellaneous scraps, rags, odd lots, textile by-products, secondhand materials (in case of secondhand materials, words of like import may be used) or waste materials, as the case may be, of unknown or undetermined fiber content, as for example:

Made of miscellaneous scraps of undetermined fiber content

100% unknown fibers—rags

All undetermined fibers—textile by-products

100% miscellaneous odd lots of undetermined fiber content

Secondhand materials—fiber content unknown

Made of unknown fibers—waste materials

(b) Where a textile fiber product is made in part from miscellaneous scraps, rags, odd lots, textile by-products, second-hand materials or waste materials of unknown and, for practical purposes, undeterminable fiber content together with a percentage of known or determinable fibers, the required fiber content disclosure may, when truthfully applicable, in lieu of the fiber content disclosure otherwise required by the Act and regulations, indicate the percentage of miscellaneous scraps, rags, odd lots, secondhand materials (in case of secondhand materials, words of like import may be used), textile by-products, or waste materials of unknown or undetermined fiber content and the percentage of known fibers, as for example:

45% Rayon
30% Acetate
25% Miscellaneous scraps of undetermined fiber content.

60% Cotton
40% Unknown fibers—waste materials.

40% Acrylic
20% Modacrylic
40% Undetermined fibers—odd lots.

50% Polyester
30% Cotton
20% Textile by-products of undetermined fiber content.

50% Rayon
50% Secondhand materials—fiber content unknown.

45% Acetate
30% Cotton
25% Miscellaneous rags—undetermined fiber content.

(c) No representation as to fiber content shall be made as to any textile product or any portion of a textile fiber product designated as composed of unknown or undetermined fibers. If any such representation is made, a full and complete fiber content disclosure shall be required.

(d) Nothing contained in this section shall excuse a full disclosure as to fiber content if the same is known or practically ascertainable.

§ 303.16 [Amendment]

2. An amendment of paragraph (b) of § 303.16 (Rule 16) under the authority of section 7(c) so as to permit the name or registered identification number required by the Act to conspicuously appear on a separate label which is prominently and conspicuously displayed in close proximity with the label containing the other required information. Paragraph (b) of § 303.16 (Rule 16) shall hereafter read:

(b) All parts of the required information shall be conspicuously and separately set out on the same side of the label in such a manner as to be clearly legible and readily accessible to the prospective purchaser, and all parts of the fiber content information shall appear in type or lettering of equal size and conspicuousness: *Provided, however,* That the required name or registered identification number may appear on the reverse side of the label if it is conspicuous and accessible: *And provided further,* That the required name or registered identification number may be conspicuously set out on a separate label which is prominently and conspicuously

displayed in close proximity to the label containing the other required information. Where only one end of a cloth label is sewn to the product in such a manner that both sides of the label are readily accessible to the prospective purchaser, the required fiber content information may appear on the reverse side of the label if the front side of such label clearly and conspicuously shows the wording "Fiber Content on Reverse Side." On products as to which sectional disclosure is used, an additional nondeceptive label may be used showing the complete fiber content information as to a particular section or area of the product.

§ 303.29 [Amendment]

3. An amendment of paragraph (a) § 303.29 (Rule 29) under the authority of section 7(c) so as to permit the required information as to textile fiber products consisting of two or more parts, units or items of different fiber content to be set out on a single label in such a manner as to separately show the fiber composition of each part, unit or item, where such parts, units or items are marketed and handled as a single product or ensemble and are sold and delivered to the ultimate consumer as a single product or ensemble. Paragraph (a) of § 303.29 (Rule 29) shall hereafter read:

(a) Where a textile fiber product consists of two or more parts, units, or items of different fiber content, a separate label containing the required information shall be affixed to each of such parts, units, or items showing the required information as to such part, unit, or item: *Provided,* That where such parts, units, or items are marketed or handled as a single product or ensemble and are sold and delivered to the ultimate consumer as a single product or ensemble, the required information may be set out on a single label in such a manner as to separately show the fiber composition of each part, unit, or item.

§ 303.45 [Amendment]

4. An amendment of paragraph (a) of § 303.45 (Rule 45) under the authority of section 7(c) of the Act by adding another subparagraph thereto so as to exclude the products listed in such subparagraph from the operation of the Act pursuant to section 12(b) of the Act and under the conditions prescribed by § 303.45 (Rule 45). Such products are excluded from the operation of the Act since it is deemed that the fiber content is inconsequential and that the disclosure thereof is not necessary for the protection of the ultimate consumer. Such subparagraph shall follow subparagraph (6) of paragraph (a) of § 303.45 (Rule 45) and shall read:

(7) All curtains, casements, draperies, and table place mats, or any portions thereof otherwise subject to the Act, made principally of slats, rods, or strips, composed of wood, metal, plastic, or leather.

5. An amendment of paragraph (b) of § 303.45 (Rule 45) under the authority of section 7(c) and pursuant to the authority of section 12(b) to provide for the exclusion of certain products from the application of the Act. Such amendment relaxes the requirements of paragraph (b) of § 303.45 (Rule 45) to the extent of permitting a disclosure of fiber content information in accordance with the Act and regulations on labels or in advertisements relating to products excluded from the operation of the Act by § 303.45 (Rule 45) without causing such products to otherwise lose their exclusion. Paragraph (b) of § 303.45 (Rule 45) shall hereafter read:

(b) The exclusions provided for in paragraph (a) of this section shall not be applicable (1) if any representations as to the fiber content of such products are made on any label or in any advertisement without making a full and complete fiber content disclosure on such label or in such advertisement in accordance with the Act and regulations with the exception of those products excluded by subparagraph (6) of paragraph (a) of this section, or (2) if any false, deceptive, or misleading representations are made as to the fiber content of such products.

(Sec. 7, 72 Stat. 1717; 15 U.S.C. 70e)

Issued: May 13, 1960.

By direction of the Commission.

[SEAL] ROBERT M. PARRISH, *Secretary.*

[F.R. Doc. 60-4358; Filed, May 13, 1960; 8:46 a.m.]

Title 21—FOOD AND DRUGS

Chapter I—Food and Drug Administration, Department of Health, Education, and Welfare

SUBCHAPTER B—FOOD AND FOOD PRODUCTS

PART 121—FOOD ADDITIVES

Subpart C—Food Additives Permitted in Animal Feed or Animal-Feed Supplements

Subpart D—Food Additives Permitted in Foods for Human Consumption

RESERPINE IN CHICKEN AND TURKEY FEED, IN EGGS FROM CHICKENS, AND IN MEAT FROM CHICKENS AND TURKEYS

The Commissioner of Food and Drugs, having evaluated the data submitted in petitions filed by Ciba Pharmaceutical Products, Inc., Summit, New Jersey, and other relevant material, has concluded that the addition of the food additive reserpine to feed for chickens and turkeys will present no hazard to the health of such animals when such additive is incorporated in such feed in the amounts, for the purposes, and under the conditions set forth in the following regulation promulgated pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(c)(1), 72 Stat. 1786; 21 U.S.C. 348(c)(1)), and under the authority delegated to the Commissioner by the Secretary of Health, Education, and Welfare (23 F.R. 9500). *Therefore, it is ordered,* That the food additive regulations (24 F.R. 2434) be amended by adding to Subpart C the following new section:

§ 121.205 Reserpine in chicken and turkey feed.

The food additive reserpine may be safely used in chicken and turkey feed when incorporated therein in accordance with the conditions prescribed in this section:

(a) It is intended for use only in improving productive performance in chickens (broilers and laying hens) and in the prevention and control of outbreaks of aortic rupture in turkeys.

(b) The quantity of the additive permitted to be used or to remain in or on medicated chicken or turkey feed for the purposes indicated in paragraph (a) of this section is as follows:

(1) 2.0 parts per million (0.0002 percent) in medicated chicken feed for laying hens, to improve performance under stressful environmental conditions.

(2) 1.0 part per million (0.0001 percent) in medicated chicken feed for broilers, to improve productive performance under stressful environmental conditions.

(3) 1.0 part per million (0.0001 percent) in medicated turkey feed to aid in the treatment of outbreaks of aortic rupture, the feed to be administered for a period not to exceed 5 days.

(4) 0.2 part per million (0.00002 percent) in medicated turkey feed to aid in the prophylaxis of aortic rupture in turkeys, for continuous use if necessary.

(c) To assure safe use of the additive in medicated feeds, the label of the basic raw material and premixes shall contain, in addition to the other information required by the act, the following:

(1) The name of the additive, reserpine.

(2) A statement of the concentration or strength of the additive in the basic raw material and in the premix.

(3) Appropriate and accurate mixing directions to provide a final feed with the proper concentration of the additive, whether or not intermediate premixes are also to be used.

(4) Appropriate and accurate use directions to provide a final feed labeled with the concentration and conditions for which the medicated feed is to be used, and how it is to be used.

(5) The word "medicated," prominently and conspicuously wherever the term "feed" or "premix" is used, and in juxtaposition therewith.

(6) The statement "For use in chicken and turkey feed only."

(d) To assure safe use of the additive, the label of the finished medicated feed shall contain, in addition to the other information required by the act, the following:

(1) The name of the additive, reserpine.

(2) A statement of the appropriate concentration and applicable use directions for the concentration of the additive contained in the finished medicated feed, as described in paragraph (b) of this section.

(3) The word "medicated," prominently and conspicuously wherever the word "feed" is used, and in juxtaposition therewith.

(4) The statement "For use as a _____ feed only," the blank to be filled in with the word "chicken," "broiler chicken," "laying hen," or "turkey," whichever is appropriate.

Based upon an evaluation of the data before him, and proceeding under the authority of section 409(c)(4) of the Federal Food, Drug, and Cosmetic Act (sec. 409(c)(4), 72 Stat. 1786; 21 U.S.C. 348), the Commissioner of Food and Drugs has further concluded that a tolerance limitation is required in order to assure that the use of the food additive reserpine will not cause the meat, meat byproducts, and eggs of chickens and turkeys which have received food treated with the additive in accordance with § 121.205 to be unsafe. Therefore, the following tolerance is established, and Subpart D (24 F.R. 1095) is amended by adding thereto the following new section:

§ 121.1007 Tolerance for residues of reserpine in eggs from chickens and in meat from chickens and turkeys.

A tolerance of zero is established for residues of the food additive reserpine and its metabolites in or on the uncooked meat, meat products, and eggs of chickens and turkeys.

Any person who will be adversely affected by the foregoing order may at any time prior to the thirtieth day from the date of its publication in the FEDERAL REGISTER file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington 25, D.C., written objections thereto. Objections shall show wherein the person filing will be adversely affected by the order, specify with particularity the provisions of the order deemed objectionable, and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought. Objections may be accompanied by a memorandum or brief in support thereof. All documents shall be filed in quintuplicate.

Effective date. This order shall be effective upon publication in the FEDERAL REGISTER.

(Sec. 409(c), 72 Stat. 1786; 21 U.S.C. 348(c). Interprets or applies secs. 201, 402, 52 Stat. 1042, 1046, as amended 68 Stat. 511, 72 Stat. 1785; 21 U.S.C. 321, 342)

Dated: May 9, 1960.

[SEAL] GEO. P. LARRICK,
Commissioner of Food and Drugs.

[F.R. Doc. 60-4374; Filed, May 13, 1960; 8:48 a.m.]

Title 29—LABOR

Chapter IV—Bureau of Labor-Management Reports, Department of Labor

SUBCHAPTER A—REGULATIONS

PART 405—EMPLOYER REPORTS

On February 5, 1960, notice was published in the FEDERAL REGISTER (25 F.R. 1053) that the Secretary of Labor proposed to amend Subchapter A, Chapter IV, Title 29, Code of Federal Regulations, by adding thereto a new Part 405, promulgating regulations prescribing the form and publication of reports required to be filed by certain employers under section 203(a) of the Labor Management Reporting and Disclosure Act of 1959 (Public Law 86-257 73 Stat. 519).

The notice provided a period of fifteen days within which interested persons might submit data, views, or arguments pertaining to the proposed regulations. The time for filing such data and comments expired on February 20, 1960.

Comments have been received from several interested persons. After consideration of all relevant matter presented, I conclude that with the following amendments, the regulations as proposed should be adopted: (1) Editorial and clarifying modifications of text in Form LM-10,[1] and in the instructions accompanying and constituting a part of such Form; (2) addition to § 405.7 of a sentence, making clear that, in Part D only of Form LM-10, matters protected by section 8(c) of the National Labor Relations Act, as amended, are not required to be reported; (3) modifications of text in Part B of Form LM-10, making clear, for purposes of filing Form LM-10, that the information called for in Part B need not be reported with respect to (a) certain payments to members of a class of persons determined without regard to their identification with labor organizations, which identification, if any, is not readily ascertainable by the payer; (b) certain loans to employees; (c) certain payments to employees for time spent in activities other than their regular work; (d) certain initiation fees and assessments paid to labor organizations; and (e) certain sporadic or occasional gifts, gratuities or favors of insubstantial value; (4) addition of § 405.5, and modifications of text in Part B of LM-10 and in the instructions accompanying and constituting a part of such Form, to provide for special reports which the Secretary may require on pertinent information, including but not necessarily confined to the matters referred to under (3) (a) through (e) above with respect to specifically identified personnel; (5) modifications of text in Part F of Form LM-10, so as to give effect to the exemption relating to arrangements for advice by requiring reporting only in cases where it would be impracticable to separate advice from an agreement, arrangement or activity which is reportable, as for example, where reportable and nonreportable matters are undertaken under a single nondivisible retainer agreement.

The regulations herein promulgated are authorized by section 208 of the Labor-Management Reporting and Disclosure Act of 1959 (Pub. Law 86-257; 73 Stat. 519) and have for their basis and purpose implementation of section 203 (a), which provides that every employer subject to its provisions shall file annually with the Secretary of Labor a report, in a form prescribed by the Secretary, signed by its president and treasurer or corresponding principal officers, showing in detail the date and amount of each of certain specified payments, loans, promises, agreements, or arrangements, including the identity, address and position, if any, in any firm or labor organization of the person to or with whom they were made and a full explanation of the circumstances of all such payments, including the terms of any agreement or understanding pursuant to which they were made. The regulations also implement section 208 of the Act which authorizes the Secretary to issue rules and regulations prescribing the form and publication of such employer reports, as well as such other reasonable rules and regulations as he may find necessary to prevent the circumvention and evasion of the reporting requirements.

Therefore, pursuant to section 4 of the Administrative Procedure Act (60 Stat. 238; 5 U.S.C. 1003) and under authority of sections 203(a) and 208 of the Labor-Management Reporting and Disclosure Act of 1959 (Pub. Law 86-257; 73 Stat. 519) and R.S. 161 (5 U.S.C. 22), Subchapter A, Chapter IV, 29 Code of Federal Regulations, is hereby amended by adding thereto a new Part 405 to read as follows:

Sec.
405.1 Definitions.
405.2 Annual report.
405.3 Form of annual report.
405.4 Terminal report.
405.5 Special reports.
405.6 Exceptions from the filing requirements of § 405.2.
405.7 Relation of section 8(c) of the National Labor Relations Act, as amended, to the reporting requirements of § 405.2.
405.8 Personal responsibility of signatories of reports.
405.9 Maintenance and retention of records.
405.10 Publication of reports required by this part.

AUTHORITY: §§ 405.1 to 405.10 issued under secs. 203(a) and 208 Pub. Law 86-257, 73 Stat. 519, and R.S. 161, 5 U.S.C. 22

§ 405.1 Definitions.

As used in this part the term:

(a) (1) "Fiscal year" means the calendar year or other period of 12 consecutive calendar months, on the basis of which financial accounts are kept by an employer. Where an employer designates a new fiscal year period prior to the expiration of a previously established fiscal year period, the resultant period of less than 12 consecutive calendar months, and thereafter the newly established fiscal year, shall in that order constitute the fiscal year for purposes of the reports required to be filed by section 203(a) of the Act and of the regulations in this part.

(2) An employer who is subject to section 203(a) of the Act for only a portion of his fiscal year because the date of enactment of the Act (September 14, 1959) occurred during such fiscal year or because the employer otherwise first becomes subject to the Act during such fiscal year, may consider such portion as the entire fiscal year in making his report under this part.

[1] Filed as part of original document.

(b) "Corresponding principal officers" shall include any person or persons performing or authorized to perform principal executive functions corresponding to those of president and treasurer, of any employer engaged in whole or in part in the performance of the activities described in section 203(a) of the Act.

§ 405.2 Annual report.

Every employer who in any fiscal year has made any payment, loan, promise, agreement, arrangement or expenditure of the kind described and required by section 203(a) of the Act to be reported to the Secretary, shall, as prescribed by the regulations in this part, file with the Commissioner, Bureau of Labor-Management Reports, United States Department of Labor, Washington 25, D.C., within 90 days after the end of each of its fiscal years, a report signed by its president and treasurer, or corresponding principal officers, together with a true copy thereof, containing the detailed information required thereon by section 203(a) of the Act and found by the Secretary under section 208 thereof to be necessary in such report.

§ 405.3 Form of annual report.

On and after the effective date of this section, every employer required to file an annual report by section 203(a) of the Act and § 405.2 shall file such report on the following United States Department of Labor Form LM–10 entitled, "Employer Report",[1] in the detail required by the following instructions[1] accompanying such form and constituting a part thereof.

§ 405.4 Terminal report.

(a) Every employer required to file a report under the provisions of this part, who during his fiscal year loses his identity as a reporting employer through merger, consolidation, dissolution, or otherwise, shall, within 30 days of the effective date thereof, or of the effective date of this section, whichever is later, file a terminal employer report, and one copy, with the Commissioner of the Bureau, at the place aforesaid on Form LM–10 signed by the President and Treasurer or corresponding principal officers of such employer immediately prior to the time of his loss of reporting identity, together with a statement of the effective date of such termination or loss of reporting identity, and if the latter, the name and mailing address of the employer entity into which he has been merged, consolidated or otherwise absorbed.

(b) For purposes of the report required by paragraph (a) of this section, the period covered thereby shall be the portion of the employer's fiscal year ending on the effective date of his termination or loss of reporting identity.

§ 405.5 Special reports.

In addition to the report on Form LM–10, the Secretary may require from employers subject to the Act the submission of special reports on pertinent information, including but not necessarily confined to reports with respect to specifically identified personnel on the matters referred to in the second box in Part B of Form LM–10.

§ 405.6 Exceptions from the filing requirements of § 405.2.

Nothing contained in this part shall be construed to require:

(a) An employer to file a report unless he has made an expenditure, payment, loan, agreement, or arrangement of the kind described in section 203(a) of the Act;

(b) Any employer to file a report covering the services of any person by reason of his (1) giving or agreeing to give advice to such employer or (2) representing or agreeing to represent such employer before any court, administrative agency, or tribunal of arbitration or (3) engaging or agreeing to engage in collective bargaining on behalf of such employer with respect to wages, hours, or other terms or conditions of employment or the negotiation of an agreement or any question arising thereunder;

(c) Any employer to file a report covering expenditures made to any regular officer, supervisor, or employee of an employer as compensation for service as a regular officer, supervisor, or employee of such employer;

(d) An attorney who is a member in good standing of the bar of any State, to include in any report required to be filed pursuant to the provisions of this part any information which was lawfully communicated to such attorney by any of his clients in the course of a legitimate attorney-client relationship.

§ 405.7 Relation of section 8(c) of the National Labor Relations Act, as amended, to the reporting requirements of § 405.2.

While nothing contained in section 203 of the Act shall be construed as an amendment to, or modification of the rights protected by, section 8(c) of the National Labor Relations Act, as amended, activities protected by such section of the said Act are not for that reason exempted from the reporting requirements of section 203(a) of the Labor-Management Reporting and Disclosure Act of 1959 and § 405.2, and, if otherwise subject to such reporting requirements, are required to be reported if they have been engaged in during the course of the reporting fiscal year. However, the information required to be reported in Part D of Form IM–10 does not include matters protected by section 8(c) of the National Labor Relations Act, as amended, because the definition in section 203(g) of the term "interfere with, restrain, or coerce", which is used in Part D, does not cover such matters.

§ 405.8 Personal responsibility of signatories of reports.

Each individual required to sign a report under section 203(a) of the Act and under this part shall be personally responsible for the filing of such report and for any statement contained therein which he knows to be false.

§ 405.9 Maintenance and retention of records.

Every person required to file any report under this part shall maintain records on the matters required to be reported which will provide in sufficient detail the necessary basic information and data from which the documents filed with the Bureau may be verified, explained or clarified, and checked for accuracy and completeness, and shall include vouchers, worksheets, receipts, and applicable resolutions, and shall keep such records available for examination for a period of not less than five years after the filing of the documents based on the information which they contain.

§ 405.10 Publication of reports required by this part.

Inspection and examination of any report or other document filed as required by section 203(a) of the Act and by the provisions of this part, and the furnishing by the Bureau of copies thereof to any person requesting them, shall be governed by the provisions of Part 407 of this chapter.

Since the form and publication of the reports prescribed by this part substantially adhere to the requirements of section 203(a) of the Act, the remaining regulations declaring provisions of the Act applicable to such reports and to persons required to make and to file them, and since the date for the filing of these reports by many employers has already passed so that considerations of time do not permit delayed effective date of these regulations, and good cause therefor existing, the regulations in this part, as authorized by the Administrative Procedure Act, are made effective upon publication in the FEDERAL REGISTER.

Signed at Washington, D.C., this 11th day of May 1960.

JAMES T. O'CONNELL,
Acting Secretary of Labor.

[F.R. Doc. 60–4419; Filed, May 13, 1960; 8:51 a.m.]

[1] Filed as part of the original document.

Title 32—NATIONAL DEFENSE

Chapter VI—Department of the Navy

SUBCHAPTER D—PROCUREMENT, PROPERTY, PATENTS, AND CONTRACTS

PART 742—ACQUISITION OF REAL ESTATE

Miscellaneous Amendments

Scope and purpose. As approved by the Deputy Secretary of Defense on April 19, 1960, and effective as of January 1, 1959, Part 742 is amended to implement section 401(b) of the act of July 14, 1952 (Pub. Law 534, 82d Cong.; 66 Stat. 624) as amended by section 509(b) of the act of July 27, 1954 (Pub. Law 534, 83d Cong.; 68 Stat. 562), section 513(b) of the act of July 15, 1955 (Pub. Law 161, 84th Cong.; 69 Stat. 352) and the act of September 21, 1959 (Pub. Law 86–317; 73 Stat. 589). Section 401(b) as amended

deals with the reimbursement for moving costs of owners or tenants of land acquired for public works projects.

1. The second sentence of § 742.9 is amended to read as follows: "No payment in reimbursement shall be made unless application therefor, supported by an itemized statement of the expenses, losses, and damages so incurred, shall have been submitted to the Secretary of the Navy within one year following the date of such acquisition or within one year following the date that the property is vacated by the applicant, whichever date is later." Section 742.9 so amended, and with correction of a statutory reference in its third sentence, reads as follows:

§ 742.9 Statutory provisions.

The Secretary of the Navy is authorized, to the extent he determines to be fair and reasonable, under regulations approved by the Secretary of Defense to reimburse the owners and tenants of land to be acquired for any public works project of the Department of the Navy for expenses and other losses and damages incurred by such owners and tenants, respectively, in the process and as a direct result of the moving of themselves and their families and possessions because of such acquisition of land, which reimbursement shall be in addition to, but not in duplication of, any payments in respect of such acquisition as may otherwise be authorized by law: *Provided,* That the total of such reimbursement to the owners and tenants of any parcel of land shall in no event exceed 25 per centum of the fair value of such parcel of land as determined by the Secretary of the Navy: *Provided, further,* That with respect to land acquired subsequent to July 27, 1954, but prior to July 15, 1955, reimbursement shall be restricted to those owners and tenants who used such land for residential or agricultural purposes. No payment in reimbursement shall be made unless application therefor, supported by an itemized statement of the expenses, losses, and damages so incurred, shall have been submitted to the Secretary of the Navy within one year following the date of such acquisition or within one year following the date that the property is vacated by the applicant, whichever date is later. The authority for reimbursement of owners and tenants for moving costs conferred by this section (subsection (b) of section 401 of the act of July 14, 1952, 66 Stat. 624, as amended) shall be in addition to but not in duplication of authority contained in subsection 501 (b) of the act of September 23, 1951 (65 Stat. 364) for the reimbursement to owners and tenants of land acquired pursuant to authorization in said act.

§ 742.10 [Amendment]

2. Section 742.10 is amended by redesignating paragraph (g) as paragraph (h) and by inserting after paragraph (f) the following new paragraph:

(g) *Date of vacating.* The date on which an owner or tenant moves himself, his family and his possessions subsequent to January 1, 1958, from land acquired on or subsequent to July 14, 1952.

3. The second sentence of § 742.13 is revised to read as follows: "Such applications must be delivered to or mailed to such District Public Works Officer within one year from the date of acquisition or within one year from the date that the property is vacated by the applicant, whichever date is later. Applications must be supported by an itemized statement of the expenses, losses, and damages incurred for which reimbursement is requested." Section 742.13 so amended reads as follows:

§ 742.13 Filing of application.

All applications for reimbursement will be filed with the appropriate District Public Works Officer for forwarding to the Chief of the Bureau of Yards and Docks for final action. Such applications must be delivered to or mailed to such District Public Works Officer within one year from the date of acquisition or within one year from the date that the property is vacated by the applicant, whichever date is later. Applications must be supported by an itemized statement of the expenses, losses and damages incurred for which reimbursement is requested.

4. The amendments set forth in paragraphs 1–3 have been approved by the Deputy Secretary of Defense on April 19, 1960, to take effect as of January 1, 1959.

(Sec. 401(b), 66 Stat. 624, as amended; 24 F.R. 10265)

Dated: May 11, 1960.

By direction of the Secretary of the Navy.

[SEAL] CHESTER WARD,
Rear Admiral, U.S. Navy, Judge Advocate General of the Navy.

[F.R. Doc. 60–4385; Filed, May 13, 1960; 8:50 a.m.]

Title 39—POSTAL SERVICE

Chapter I—Post Office Department

PART 111—CONDITIONS APPLICABLE TO ALL CLASSES

PART 132—REGISTRATION

International Mail Regulations

The regulations of the Post Office Department are amended as follows:

I. In § 111.2 *Postage,* as published in F.R. Doc. 60–1246, 25 F.R. 1095–1126, and amended by F.R. Doc. 60–1416, 25 F.R. 1314–1315, F.R. Doc. 60–1648, 25 F.R. 1618–1619, make the following changes:

A. In paragraph (c), redesignate subparagraph (2) as subparagraph (3), and insert a new subparagraph (2) to show that a form AV–2 "Statement of net weight of the Airmail", must be presented to the post office when mail posted on the high seas and paid with foreign postage is to be sent by air. As so amended, subparagraphs (2) and (3) of paragraph (c) read as follows:

(c) *Articles mailed aboard ships (Paquebot).* * * *

(2) Any mail to be forwarded by air must be accompanied by an AV–2 form "Statement of net weight of the Airmail", prepared by the ship's officer, showing the weight of the articles for each destination. When airmail is presented at a post office that is not an international exchange office, the postmaster must transmit the AV–2 form to the International Service Division, Bureau of Transportation, Post Office Department, Washington 25, D.C., for accounting purposes.

(3) Mail posted aboard a United States ship on the high seas, or aboard any ship while in a United States port, must bear United States stamps and is not entitled to "Paquebot" cancellation at a United States post office.

NOTE: The corresponding Postal Manual sections are 221.232 and 221.233.

B. In paragraph (d) (1) the introductory sentence of subparagraph (1) which precedes subdivision (i), and subdivision (i) are amended to show that the weight and size limits specified in Part 112 of this chapter apply to both diplomatic and consular mail sent without postage to countries of the Postal Union of the Americas and Spain. As so amended, the introductory sentence of paragraph (d) (1), and subdivision (i) of paragraph (d) (1) read as follows:

(d) *Mailings without postage*—(1) *Diplomatic and consular mail.* Diplomatic and consular mail addressed to countries of the Postal Union of the Americas and Spain (see § 101.2 of this chapter) may be mailed without postage up to the weight and size limits specified in Part 112 of this chapter under the following conditions:

(i) *Diplomatic.* Free postage and free registration are granted to all surface correspondence (official and personal) of members of the diplomatic corps of PUAS countries when addressed to PUAS countries.

NOTE: The corresponding Postal Manual section is 221.241.

(R.S. 161, as amended, 396, as amended, 398, as amended; 5 U.S.C. 22, 369, 372)

II. In § 111.3 *Prohibitions and restrictions,* as published in F.R. Doc. 60–1246, 25 F.R. 1095–1126, and amended by F.R. Doc. 60–1416, 25 F.R. 1314–1315, F.R. Doc. 60–1648, 25 F.R. 1618–1619, F.R. Doc. 60–3502, 25 F.R. 3353; subdivision (i) of paragraph (b) (5) is amended by inserting "Antigua, Grenada and Grenadines" in the proper alphabetical order of countries which accept letter packages containing perishable biological material.

NOTE: The corresponding Postal Manual section is 221.325a.

(R.S. 161, as amended, 396, as amended, 398, as amended; 5 U.S.C. 22, 369, 372)

III. In § 132.6 *Restricted delivery,* as published in F.R. Doc. 60–1246, 25 F.R. 1095–1126, and amended by F.R. Doc. 60–1416, 25 F.R. 1314–1315, subparagraph (1) of paragraph (a) is amended by inserting "Yugoslavia____A remettre en main propre." in the proper alphabetical order of countries where restricted delivery of registered articles is available.

NOTE: The corresponding Postal Manual section is 242.611.

(R.S. 161, as amended, 396, as amended, 398, as amended; 5 U.S.C. 22, 369, 372)

[SEAL] HERBERT B. WARBURTON,
General Counsel.

[F.R. Doc. 60-4355; Filed, May 13, 1960; 8:46 a.m.]

PART 168—DIRECTORY OF INTERNATIONAL MAIL

Individual Countries Regulations

In § 168.5 *Individual country regulations,* as published in the FEDERAL REGISTER of March 20, 1959, at pages 2117–2195, as F.R. Doc. 59-2388, make the following changes:

I. In country "Kenya and Uganda", as amended by F.R. Doc. 59-7459, 25 F.R. 7249–7251, F.R. Doc. 60-2068, 25 F.R. 1948–1949, F.R. Doc. 60-2293, 25 F.R. 2104; under Parcel Post, the item *Observations* is deleted. It is no longer necessary for mailers to use special forms of commercial invoices for merchandise sent to Kenya and Uganda for resale.

II. In country "Tanganyika Territory" as amended by F.R. Doc. 59-7459, 25 F.R. 7249–7251, F.R. Doc. 60-2068, 25 F.R. 1948–1949, F.R. Doc. 60-2293, 25 F.R. 2104, under Parcel Post, the item *Observations* is deleted. It is no longer necessary for mailers to use special forms of commercial invoices for merchandise sent to the Tanganyika Territory for resale.

(R.S. 161, as amended, 396, as amended, 398, as amended; 5 U.S.C. 22, 369, 372)

[SEAL] HERBERT B. WARBURTON,
General Counsel.

[F.R. Doc. 60-4356; Filed, May 13, 1960; 8:46 a.m.]

Title 33—NAVIGATION AND NAVIGABLE WATERS

Chapter II—Corps of Engineers, Department of the Army

PART 203—BRIDGE REGULATIONS

Tar River, North Carolina

Pursuant to the provisions of section 5 of the River and Harbor Act of August 18, 1894 (28 Stat. 362; 33 U.S.C. 499), § 203.245 is hereby amended by redesignating paragraph (g)(6) as (g)(6-a) and prescribing new paragraph (g)(6) to govern the operation of the North Carolina Highway Commission bridge across Tar River near Grimesland, North Carolina, as follows:

§ 203.245 Navigable waters discharging into the Atlantic Ocean south of and including Chesapeake Bay and into the Gulf of Mexico, except the Mississippi River and its tributaries and outlets; bridges where constant attendance of draw tenders is not required.

* * * * *

(g) *Waters discharging into the Atlantic Ocean between Chesapeake Bay and Charleston.* * * *

(6) Tar River, N.C.; North Carolina State Highway Commission bridge near Grimesland. At least 24 hours' advance notice required: *Provided,* That the bridge owner will restore constant attendance when, in the opinion of the District Engineer, Corps of Engineers, river traffic warrants additional service.

[Regs., April 28, 1960, 285/91 (Tar River, N.C.)—ENGCW-O] (Sec. 5, 28 Stat. 362; 33 U.S.C. 499)

R. V. LEE,
Major General, U.S. Army,
The Adjutant General.

[F.R. Doc. 60-4347; Filed, May 13, 1960; 8:45 a.m.]

Title 43—PUBLIC LANDS: INTERIOR

Chapter I—Bureau of Land Management, Department of the Interior

APPENDIX—PUBLIC LAND ORDERS

[Public Land Order 2085]

[59532]

OREGON

Partially Revoking Public Land Order No. 702 of March 5, 1951

By virtue of the authority vested in the President, and pursuant to Executive Order No. 10355 of May 26, 1952, it is ordered as follows:

1. Public Land Order No. 702 of March 5, 1951, which withdrew public and revested and reconveyed Oregon and California Railroad Grant lands in Oregon for timber access road purposes, and for the protection and preservation of scenic and recreational areas, is hereby revoked so far as it affects the following-described lands:

WILLAMETTE MERIDIAN

T. 11 S., R. 3 E.,
Sec. 25, W½;
Sec. 26, SE¼;
Sec. 35, NE¼ and S½.
T. 12 S., R. 3 E.,
Sec. 2, NW¼ and NW¼SW¼;
Sec. 3, NE¼, SW¼, S½NE¼SE¼, and S½SE¼.
Sec. 9, E½;
Sec. 10;
Sec. 21, NW¼, NE¼SW¼, W½NW¼SW¼ and S½SW¼;
Sec. 29, N½NE¼;
T. 11 S., R. 4 E.
Sec. 19, SW¼ and SW¼SE¼;

The areas described, including both public and O. and C. lands, aggregate 3106.44 acres, of which a major portion is still withdrawn for power purposes.

2. The SW¼ and the SW¼SE¼, section 19, T. 11 S., R. 4 E., have been reconveyed to the United States with a reservation of minerals to the grantor.

3. The topography of the lands is generally rough and mountainous.

4. No application for the lands may be allowed under the homestead, desert-land, small tract, or any other nonmineral public land law unless the lands have already been classified as valuable or suitable for such type of application, or shall be so classified upon the consideration of an application. Any application that is filed will be considered on its merits. The lands will not be subject to occupancy or disposition until they have been classified.

5. Subject to any valid existing rights and the requirements of applicable law, the lands are hereby opened to filing of applications, selections, and locations in accordance with the following paragraphs, the O. and C. lands being opened to such forms of application as may by law be made of such lands:

a. Applications and selections under the nonmineral public land laws may be presented to the Manager mentioned below, beginning on the date of this order. Such applications and selections will be considered as filed on the hour and respective dates shown for the various classes enumerated in the following paragraphs:

(1) Applications by persons having prior existing valid settlement rights, preference rights conferred by existing laws, or equitable claims subject to allowance and confirmation will be adjudicated on the facts presented in support of each claim or right. All applications presented by persons other than those referred to in this paragraph will be subject to the applications and claims mentioned in this paragraph.

(2) Until 10:00 a.m. on November 7, 1960, the State of Oregon shall have a preferred right of application to select the lands in accordance with and subject to the provisions of subsection (c) of section 2 of the Act of August 27, 1958 (72 Stat. 928; 43 U.S.C. 851, 852), and the regulations in Title 43, Code of Federal Regulations.

(3) All valid applications and selections under the nonmineral public land laws presented prior to 10:00 a.m. on June 14, 1960, will be considered as simultaneously filed at that hour. Rights under such applications and selections filed after that hour will be governed by the time of filing.

b. The lands have been open to applications and offers under the mineral leasing laws. They will be open to location under the United States mining laws beginning at 10:00 a.m. on November 7, 1960.

Persons claiming preference rights based upon valid settlement, statutory preference, or equitable claims must enclose properly corroborated statements in support of their applications, setting forth all facts relevant to their claims. Detailed rules and regulations governing applications which may be filed pursuant to this notice can be found in Title 43 of the Code of Federal Regulations.

Inquiries concerning the lands should be addressed to the Manager, Land Office, Bureau of Land Management, Portland, Oregon.

ROGER ERNST,
Assistant Secretary of the Interior.

MAY 9, 1960.

[F.R. Doc. 60-4349; Filed, May 13, 1960; 8:45 a.m.]

[Public Land Order 2086]

[83669]

ALASKA

Excluding Lands From Chugach and Tongass National Forests and Restoring Them for Purchase as Homesites

By virtue of the authority vested in the President by section 1 of the act of June 4, 1897 (30 Stat. 34, 36; 16 U.S.C. 473), and pursuant to Executive Order No. 10355 of May 26, 1952, it is ordered as follows:

The following-described tracts of public land in Alaska, occupied as homesites, are hereby excluded from the Chugach and Tongass National Forests and restored, subject to valid existing rights, and the provisions of existing withdrawals, for purchase as homesites under section 10 of the act of May 14, 1898 (30 Stat. 409), as amended by the act of May 26, 1934 (48 Stat. 809; 48 U.S.C. 461), provided that any location, entry or selection of the lands comprising Lot A, Homesite No. 142 and Lot F, Homesite No. 146 shall be subject to the provisions of section 24 of the Federal Power Act of June 10, 1920 (41 Stat. 1075; 16 U.S.C. 818), as amended, in accordance with DA-60, 61, and 62 of the Federal Power Commission issued February 19, 1954:

U.S. Survey No. 2523, lot 4, 4.09 acres; latitude 60°30'12" N., longitude 149°17' W., (Homesite No. 179, Slaughter Creek Group).

U.S. Survey No. 2520, lot A, 3.97 acres; latitude 60°24'26" N., longitude 149°22' W., (Homesite No. 142, Falls Creek Group).

U.S. Survey No. 2523, lot 14, 4.60 acres; latitude 60°28'23" N., longitude 149°21' W., (Homesite No. 168, Trail Lake Group).

U.S. Survey No. 2520, lot F, 4.77 acres; latitude 60°24'26" N., longitude 149°22' W., (Homesite No. 146, Falls Creek Group).

U.S. Survey No. 3305, Tract A, lot 16, 1.15 acres; latitude 57°57' N., longitude 136°13' W., (Homesite No. 1094, Lisianski Group).

U.S. Survey No. 3558, lot 11, 1.25 acres; latitude 56°20' N., longitude 133°35' W., (Homesite No. 1128, Port Protection Group).

ROGER ERNST,
Assistant Secretary of the Interior.

MAY 9, 1960.

[F.R. Doc. 60-4350; Filed, May 13, 1960; 8:45 a.m.]

[Public Land Order 2087]

[Washington 03542]

WASHINGTON

Reserving Lands in Old Fort Spokane Military Reservation for Use of National Park Service, in Connection With Coulee Dam National Recreation Area; Partly Revoking Executive Orders of January 12, 1882, and November 17, 1887

By virtue of the authority vested in the President and pursuant to Executive Order No. 10355 of May 26, 1952, it is ordered as follows:

Subject to valid existing rights, the following-described public lands are hereby withdrawn from all forms of appropriation under the public land laws, including the mining and mineral leasing laws, and disposals of materials under the act of July 31, 1947 (61 Stat. 681; 30 U.S.C. 601-604), and reserved under jurisdiction of the National Park Service for use as an administrative, museum and historic site in connection with the Coulee Dam National Recreation Area:

WILLAMETTE MERIDIAN

T. 28 N., R. 36 E.,
Sec. 20, lots 15, 16, 21, 22, and 23;
Sec. 29, lots 7 to 12, incl.

The areas described aggregate 331.31 acres.

The Executive order of January 12, 1882, establishing the Fort Spokane Military Reservation, and the Executive order of November 17, 1887, modifying its boundaries, are hereby revoked so far as they affect the lands.

ROGER ERNST,
Assistant Secretary of the Interior.

MAY 9, 1960.

[F.R. Doc. 60-4351; Filed, May 13, 1960; 8:45 a.m.]

[Public Land Order 2088]

MONTANA

Partly Revoking Departmental Order of August 18, 1902 (Milk River Project)

By virtue of the authority vested in the Secretary of the Interior by section 3 of the act of June 17, 1902 (32 Stat. 388; 43 U.S.C. 416), it is ordered as follows:

The departmental order of August 18, 1902, which withdrew lands in Montana for reclamation purposes is hereby revoked so far as it affects the following-described lands:

PRINCIPAL MERIDIAN

MONTANA 035474

T. 30 N., R. 29 E.,
Sec. 8, lot 2, N½SW¼ and NW¼SE¼.

MONTANA 035130

T. 31 N., R. 35 E.,
Sec. 22, S½SE¼, SE¼SW¼, N½S½, and S½N½.

The areas described aggregate approximately 585 acres.

The lands are embraced in homestead entries Great Falls 053891, 057618, 053750, and 053941.

ROGER ERNST,
Assistant Secretary of the Interior.

MAY 9, 1960.

[F.R. Doc. 60-4352; Filed, May 13, 1960; 8:46 a.m.]

[Public Land Order 2089]

[74881]

ALASKA

Excluding Lands From Tongass National Forest and Restoring Them for Purchase as Homesite

By virtue of the authority vested in the President by section 1 of the act of June 4, 1897 (30 Stat. 34, 36; 16 U.S.C. 473) and pursuant to Executive Order No. 10355 of May 26, 1952, it is ordered as follows:

The following-described tract of public land in Alaska occupied as a homesite, is hereby excluded from the Tongass National Forest and restored, subject to valid existing rights, for purchase as a homesite under section 10 of the act of May 14, 1898 (30 Stat. 409) as amended:

U.S. Survey No. 3525, lot 1, 4.1 acres, latitude 55°09'30" N., longitude 131°45'30" W., (Homesite No. 474, Dall Bay Group).

ROGER ERNST,
Assistant Secretary of the Interior.

MAY 10, 1960.

[F.R. Doc. 60-4353; Filed, May 13, 1960; 8:46 a.m.]

Proposed Rule Making

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[7 CFR Part 52]

UNITED STATES STANDARDS FOR GRADES OF FROZEN PEACHES [1]

Notice of Proposed Rule Making

Notice is hereby given that the United States Department of Agriculture is considering the revision of the United States Standards for Grades of Frozen Peaches pursuant to the authority contained in the Agricultural Marketing Act of 1946 (Secs. 202–208, 60 Stat. 1087, as amended; 7 U.S.C. 1621–1627). This revision, if made effective, will be the second issue by the Department of grade standards for this product.

All persons who desire to submit written data, views, or arguments for consideration in connection with the proposed revision should file the same with the Chief, Processed Products Standardization and Inspection Branch, Fruit and Vegetable Division, Agricultural Marketing Service, U.S. Department of Agriculture, Washington 25, D.C., not later than October 15, 1960.

The proposed revision is as follows:

PRODUCT DESCRIPTION, TYPES, STYLES, AND GRADES

AUTHORITY: §§ 52.3551 to 52.3563 issued under secs. 202–208, 60 Stat. 1087, as amended; 7 U.S.C. 1621–1627.

PRODUCT DESCRIPTION, TYPES, STYLES, AND GRADES

§ 52.3551 Product description.

Frozen peaches are prepared from sound, mature, fresh peaches which are peeled, pitted, washed, cut, and trimmed if necessary, to assure a clean and wholesome product. The peaches are properly drained before filling into containers; may be packed with the addition of a nutritive sweetening ingredient(s), including syrup and/or syrup containing pureed peaches and any other ingredient(s) permissible under the provisions of the Federal Food, Drug, and Cosmetic Act; are prepared and frozen in accordance with good commercial practice; and are maintained at temperatures necessary for the preservation of the product.

§ 52.3552 Types of frozen peaches.

(a) *Yellow Freestone.* Freestone peaches of the yellow-fleshed varieties which may have orange or red pigments emanating from the pit cavity;

(b) *White Freestone.* Freestone peaches that are predominately white fleshed;

(c) *Red Freestone.* Freestone peaches that are basically white or red fleshed but which may have substantial red coloring in the flesh;

(d) *Yellow Clingstone.* Clingstone peaches of the yellow or orange-fleshed varieties.

§ 52.3553 Styles of frozen peaches.

(a) "Halved" or "halves" means the peaches are cut approximately in half along the suture from stem to apex.

(b) "Quartered" or "quarters" means halved peaches cut into two approximately equal parts.

(c) "Sliced" or "slices" means the peaches are cut into sectors smaller than quarters.

(d) "Mixed pieces of irregular sizes and shapes" means peaches cut or broken into pieces of irregular sizes and shapes and which do not conform to a single style of halves, quarters, or slices.

§ 52.3554 Grades of frozen peaches.

(a) "U.S. Grade A" (or "U.S. Fancy") is the quality of frozen peaches that possess similar varietal characteristics, that possess a normal flavor, that possess a good color, that are practically uniform in size and symmetry for the applicable style, that are practically free from defects, that possess a good character, and that score not less than 90 points when scored in accordance with the scoring system outlined in this subpart: *Provided,* That the styles of halves, quarters, and slices may be only reasonably uniform in size and symmetry if the total score is not less than 90 points.

(b) "U.S. Grade B" (or "U.S. Choice") is the quality of frozen peaches that possess similar varietal characteristics, that possess a normal flavor, that possess a reasonably good color, that are reasonably uniform in size and symmetry for the applicable style, that are reasonably free from defects, that possess a reasonably good character, and that score not less than 80 points when scored in accordance with the scoring system outlined in this subpart: *Provided,* That halves, quarters, and slices may be only fairly uniform in size and symmetry if the total score is not less than 80 points.

(c) "U.S. Grade C" (or "U.S. Standard") is the quality of frozen peaches that possess similar varietal characteristics, that possess a normal flavor, that possess a fairly good color, that are fairly uniform in size and symmetry for the applicable style, that are fairly free from defects, that possess a fairly good character, and that score not less than 70 points when scored in accordance with the scoring system outlined in this subpart.

(d) "Substandard" is the quality of frozen peaches that fails to meet the requirements of "U.S. Grade C."

FACTORS OF QUALITY

§ 52.3555 Ascertaining the grade of a sample unit.

(a) *General.* In addition to considering other requirements outlined in the standard, the following quality factors are evaluated.

(1) *Factors not rated by score points.*
(i) Varietal characteristics;
(ii) Flavor.

(2) *Factors rated by score points.*
(i) The relative importance of each factor which is scored is expressed numerically on the scale of 100. The maximum number of points that may be given such factors are:

Factors:	*Points*
Color	20
Size and symmetry	20
Defects	30
Character	30
Total score	100

(ii) Quality factors are evaluated immediately after thawing to the extent that the product is substantially free from ice crystals and can be handled as individual units.

(b) *Definition of normal flavor.* "Normal flavor" means that the frozen peaches are free from objectionable flavors or objectionable odors of any kind.

§ 52.3556 Ascertaining the rating for the factors which are scored.

The essential variations within each factor which is scored are so described that the value may be ascertained for such factors and expressed numerically. The numerical range within each factor which is scored is inclusive. (For example, "17 to 20 points" means 17, 18, 19, or 20 points.)

§ 52.3557 Color.

(a) *General.* The score for the factor of color is evaluated by considering the overall color of the units. Abnormal discoloration near or part of the pit cavity shall be considered in the evaluation of the overall color of the unit.

(b) *(A) classification.* Frozen peaches that possess a good color may be given a score of 18 to 20 points. "Good

[1] Compliance with the provisions of these standards shall not excuse failure to comply with the provisions of the Federal Food, Drug, and Cosmetic Act or with applicable state laws and regulations.

color" means that the frozen peaches possess a color that is bright, reasonably uniform, and typical of reasonably well-ripened to well-ripened peaches of the type and variety which have been properly prepared and properly processed; that not more than 5 percent, by count, of the units may possess no more than slight tinges of green or may be no more than slightly affected by any brown color due to oxidation, improper processing, or other causes.

(c) *(B) classification.* Frozen peaches that possess a reasonably good color may be given a score of 16 or 17 points. Frozen peaches that fall into this classification shall not be graded above U.S. Grade B, regardless of the total score for the product (this is a limiting rule). "Reasonably good color" means that the frozen peaches possess a color that is reasonably bright, fairly uniform, and typical of reasonably well-ripened peaches of the type and variety which have been properly prepared and properly processed; that not more than 20 percent, by count, of the units may possess slight tinges of green color or may be more than slightly, but not materially affected, by any brown color due to oxidation, improper processing, or other causes; and that not more than 5 percent, by count, of the units may possess a pronounced green color: *Provided,* That any of such units individually or collectively do not materially affect the appearance of the product.

(d) *(C) classification.* Frozen peaches that possess a fairly good color may be given a score of 14 or 15 points. Frozen peaches that fall into this classification shall not be graded above U.S. Grade C, regardless of the total score for the product (this is a limiting rule). "Fairly good color" means that the frozen peaches vary in color typical of fairly well-ripened peaches of the type and variety, including units that may possess slight tinges of green color; and that not more than 15 percent, by count, of the units may be materially affected by brown color due to oxidation, improper processing, or other causes or may possess a pronounced green color: *Provided,* That any of such units individually or collectively do not seriously affect the appearance of the product.

(e) *(SStd.) classification.* Frozen peaches that fail to meet the requirements of paragraph (d) of this section may be given a score of 0 to 13 points and shall not be graded above Substandard, regardless of the total score for the product (this is a limiting rule).

§ 52.3558 Size and symmetry.

(a) *General.* The factor of size and symmetry refers to the uniformity of size and to the symmetry of the units of peaches in halved, quartered, and sliced styles. This factor does not apply to the style of "mixed pieces of irregular sizes and shapes"; the total score for this style is determined by multiplying the sum of the scores assigned for color, defects, and character by 100 and dividing by 80, dropping any fractions.

(b) *Off-suture cut.* "Off-suture cut" means a halved or quartered peach unit which has been cut at a distance from the suture greater than ⅜ inch at the widest measurement from the suture.

(c) *Partially detached or detached piece.* A "partially detached or detached piece" in the style of halves means a unit which has the appearance of a slice resulting from an off-suture cut or from improper cutting and which may or may not be attached to the half from which cut. In determining the applicable allowances in terms of percentage by count, a partially detached piece together with the half to which it is partially attached is considered as one unit or a detached piece with the half from which detached or together with any other half is considered as one unit.

(d) *Partial slice.* A "partial slice" in the style of slices is a unit that has had the semblance of a slice with respect to thickness and shape but is less than three-fourths of an apparent full slice and that does not bear marks of crushing. In determining the allowances in terms of percentage by count, partial slices aggregating the equivalent of an average size slice shall be considered as one unit.

(e) *Sliver.* A "sliver" in the style of slices is a sector that (1) is extremely smaller in comparison with the predominant size of slices or that (2) weighs 3 grams or less.

(f) *Slab.* A "slab" in the style of slices is a portion of a unit which does not conform to the shape of a definite slice due to improper cutting.

(g) *(A) classification.* Halved, quartered, or sliced frozen peaches that are practically uniform in size and symmetry may be given a score of 18 to 20 points. "Practically uniform in size and symmetry" has the following meanings with respect to the following styles:

(1) *Halves; quarters.* The weight of the largest normal-shaped unit does not exceed the weight of the smallest normal-shaped unit by more than 50 percent; and that not more than 10 percent, by count, of the units may possess off-suture cuts, or partially detached or detached pieces, or any combination thereof.

(2) *Slices.* Not more than a total of 10 percent, by count, of the units may be partial slices, slivers, and slabs: *Provided,* That not more than 3 percent, by count, of all the units may be slabs; and excluding partial slices, slivers, and slabs that may be present, the variation in size of the other units does not materially affect the appearance of the product.

(h) *(B) classification.* Halved, quartered, or sliced frozen peaches that are reasonably uniform in size and symmetry may be given a score of 16 or 17 points. "Reasonably uniform in size and symmetry" has the following meanings with respect to the following styles:

(1) *Halves; quarters.* The weight of the largest normal-shaped unit does not exceed the weight of the smallest normal-shaped unit by more than 75 percent; and that not more than 20 percent, by count, of the units may possess off-suture cuts or partially detached or detached pieces, or any combination thereof.

(2) *Slices.* Not more than a total of 15 percent, by count, of the units may be partial slices, slivers and slabs: *Provided,* That not more than 5 percent, by count, of all the units may be slabs; and excluding partial slices, slivers, and slabs that may be present, the variation in size of the other units does not seriously affect the appearance of the product.

(i) *(C) classification.* Halved, quartered, or sliced frozen peaches that are fairly uniform in size and symmetry may be given a score of 14 or 15 points. Frozen peaches that fall into this classification shall not be graded above U.S. Grade B (this is a partial limiting rule). "Fairly uniform in size and symmetry" has the following meanings with respect to the following styles:

(1) *Halves; quarters.* The weight of the largest normal-shaped unit may be not more than twice the weight of the smallest normal-shaped unit; and that not more than 40 percent, by count, of the units may possess off-suture cuts or partially detached or detached pieces, or any combination thereof.

(2) *Slices.* Not more than a total of 25 percent, by count, of the units may be partial slices, slivers, and slabs: *Provided,* That, not more than 10 percent of all the units may be slabs.

(j) *(SStd.) classification.* Frozen peaches of the applicable styles that fail to meet the requirements of paragraph (i) of this section may be given a score of 0 to 13 points and shall not be graded above Substandard, regardless of the total score for the product (this is a limiting rule).

§ 52.3559 Defects.

(a) *General.* The factor of defects refers to the degree of freedom from harmless extraneous material, pit material, peel, blemishes, broken units for the applicable style, and from any other defects not specifically mentioned (such as, but not limited to, very light bruises) that detract from the appearance or edibility of the product.

(1) *Harmless extraneous materials.* "Harmless extraneous materials" means harmless vegetable materials such as leaves and stems and portions thereof.

(2) *Blemished unit.* "Blemished unit" means a peach unit affected by discoloration, bruises, scab, hail or other abnormality to the extent that the appearance and eating quality of the unit is materially affected.

(3) *Broken units.* "Broken units" means units of halves and quarters that are seriously cracked or distorted, or units of halves, quarters, and slices that are severed into definite parts. Portions equivalent to an average full-size unit that has been severed into definite parts are considered as one unit in determining the percentage by count.

(b) *(A) classification.* Frozen peaches that are practically free from defects may be given a score of 27 to 30 points. "Practically free from defects" means that the frozen peaches are practically free from pit material, from harmless extraneous material, and from any defects not specifically mentioned that affect the appearance or edibility of the product, and, in addition, has the following meanings with respect to the following styles of frozen peaches:

(1) *Halves; quarters.* Not more than an average of ½ square inch of peel for each 16 ounces of total contents may be present; not more than 5 percent, by count, of the units may be broken; and not more than 5 percent, by count, of the units may be blemished.

(2) *Sliced.* Not more than an average of ½ square inch of peel for each 16 ounces of total contents may be present; not more than 5 percent, by count, of the units may be broken; and not more than 5 percent, by count, of the units may be blemished.

(3) *Mixed pieces of irregular sizes and shapes.* Not more than an average of ½ square inch of peel for each 16 ounces of total contents may be present; and not more than 6 percent, by weight, of the drained thawed peaches (see § 52.3561) may consist of blemished units.

(4) *All styles.* Notwithstanding the allowances of paragraph (b) of this section, the defects that may be present do not more than slightly affect the appearance or edibility of the product.

(c) (*B*) *classification.* Frozen peaches that are reasonably free from defects may be given a score of 24 to 26 points. Frozen peaches that fall into this classification shall not be graded above U.S. Grade B, regardless of the total score for the product (this is a limiting rule). "Reasonably free from defects" means that the frozen peaches are practically free from pit material; are reasonably free from harmless extraneous material and from any defects not specifically mentioned that affect the appearance or edibility of the product; and, in addition, has the following meanings with respect to the following styles of frozen peaches:

(1) *Halves; quarters.* Not more than an average of ½ square inch of peel for each 16 ounces of total contents may be present; not more than 10 percent, by count, of the units may be broken; and not more than 10 percent, by count, of the units may be blemished.

(2) *Sliced.* Not more than an average of ½ square inch of peel for each 16 ounces of total contents may be present; not more than 10 percent, by count, of the units may be broken; and not more than 10 percent, by count, of the units may be blemished.

(3) *Mixed pieces of irregular sizes and shapes.* Not more than an average of ½ square inch of peel for each 16 ounces of total contents may be present; and not more than 10 percent, by weight, of the thawed drained peaches (see § 52.3561) may consist of blemished units.

(4) *All styles.* Notwithstanding the allowances of paragraph (c) of this section, the defects that may be present do not materially affect the appearance or edibility of the product.

(d) (*C*) *classification.* Frozen peaches that are fairly free from defects may be given a score of 21 to 23 points. Frozen peaches that fall into this classification shall not be graded above U.S. Grade C, regardless of the total score for the product (this is a limiting rule). "Fairly free from defects" means that the frozen peaches are practically free from pit material; are fairly free from harmless extraneous material and from any defects not specifically mentioned that affect the appearance or edibility of the product; and, in addition, has the following meanings with respect to the following styles of frozen peaches:

(1) *Halves; quarters.* Not more than an average of one square inch of peel for each 16 ounces of total contents may be present; and not more than 20 percent, by count, of the units may be blemished.

(2) *Slices.* Not more than an average of one square inch of peel for each 16 ounces of total contents may be present, and not more than 20 percent, by count, of the units may be blemished.

(3) *Mixed pieces of irregular sizes and shapes.* Not more than an average of one square inch of peel for each 16 ounces of total contents may be present; and not more than 20 percent, by weight, of the thawed drained peaches (see § 52.3561) may consist of blemished units.

(4) *All styles.* Notwithstanding the allowances of paragraph (d) of this section, the defects that may be present do not seriously affect the appearance or edibility of the product.

(e) (*SStd.*) *classification.* Frozen peaches that fail to meet the requirements of paragraph (d) of this section may be given a score of 0 to 20 points and shall not be graded above Substandard, regardless of the total score for the product (this is a limiting rule).

§ 52.3560 Character.

(a) *General.* The factor of character refers to the degree of ripeness, the texture, the firmness, and the tenderness of the fruit, and the tendency of the units to retain their apparent conformation and size without material disintegration.

(b) (*A*) *classification.* Frozen peaches that possess a good character may be given a score of 27 to 30 points. "Good character" means that the units possess a tender texture characteristic of mature well-ripened peaches for the varietal type, and which units, after defrosting and proper handling retain good conformation, are not hard or tough or rubbery, and are reasonably uniform in texture within either of the following categories:

(1) Slightly firm to firm—consists of units with reasonably well-defined edges; or

(2) Soft to slightly firm—consists of units which may possess slightly frayed edges.

(c) (*B*) *classification.* Frozen peaches that possess a reasonably good character may be given a score of 24 to 26 points. Frozen peaches that fall into this classification shall not be graded above U.S. Grade B, regardless of the total score for the product (this is a limiting rule). "Reasonably good character" means that the units possess a reasonably tender texture characteristic of mature and at least reasonably well-ripened peaches for the varietal type, and which units, after defrosting and proper handling retain reasonably good conformation and are fairly uniform in texture which may range from soft to firm; and, in addition, in all styles not more than 10 percent, by weight, of the drained thawed peaches (see § 52.3561) may be hard, tough, or rubbery units or excessively soft, mushy, or disintegrated portions.

(d) (*C*) *classification.* Frozen peaches that possess a fairly good character may be given a score of 21 to 23 points. Frozen peaches that fall into this classification shall not be graded above U.S. Grade C, regardless of the total score for the product (this is a limiting rule). "Fairly good character" means that the units possess a fairly tender texture characteristic of mature and fairly well-ripened peaches for the varietal type, and which units, after defrosting and proper handling retain fairly good conformation but may be variable in texture, may be slightly tough and slightly rubbery, or may be soft and tend to disintegrate. To score in this classification, frozen peaches of all styles may consist of not more than a total of 50 percent, by weight, of the drained thawed peaches (see § 52.3561) that are hard, tough, or rubbery units or excessively soft, mushy, or disintegrated portions: *Provided,* That not more than 20 percent, by weight, of the drained thawed peaches are hard, tough, or rubbery units; and further *Provided,* That not more than 10 percent, by weight, of the drained thawed peaches are hard units.

(e) (*SStd.*) *classification.* Frozen peaches that fail to meet the requirements of paragraph (d) of this section may be given a score of 0 to 20 points and shall not be graded above Substandard, regardless of the total score for the product (this is a limiting rule).

METHODS OF ANALYSIS

§ 52.3561 Determination of drained fruit.

The percentage of thawed drained peaches is determined as follows:

(a) *Equipment.*

Flat grading trays.
Table fork, spoon, spatula.
Glass beakers.
Torsion or triple beam balance.

(b) *Procedure.* (1) If the sample is 16 ounces or less in total contents, use the entire sample. If the sample is more than 16 ounces select a representative aliquot of 16 ounces or more for the determination.

(2) Carefully place the thawed sample on the tray and raise one end of the tray slightly and arrange material, if necessary, so any adhering packing media will drain to the other end of the tray.

(3) With a fork separate and weigh separately the following:

(i) Intact and practically intact units;

(ii) Tough or rubbery units;

(iii) Hard units;

(iv) Blemished units in the style of mixed pieces of irregular sizes and shapes.

(4) With a spoon or spatula remove the remaining solid material (such as, pieces of slices, slivers, excessively soft, mushy or disintegrating) to a tared beaker and weigh.

(5) The sum of the weights obtained in subparagraphs (3) and (4) of this paragraph is considered the weight of "thawed drained peaches" from which

to calculate the weight of intact or practically intact units; tough, rubbery, or hard units; and blemished units, as the case may be.

LOT INSPECTION AND CERTIFICATION

§ 52.3562 Ascertaining the grade of a lot.

The grade of a lot of frozen peaches covered by these standards is determined by the procedures set forth in the Regulations Governing Inspection and Certification of Processed Fruits and Vegetables, Processed Products Thereof, and Certain Other Processed Food Products (§§ 52.1 to 52.87 of this title).

SCORE SHEET

§ 52.3563 Score sheet for frozen peaches.

Number, size, and kind of container			----
Container mark or identification:			
Containers or sample			----
Cases			----
Label:			
Styles, varietal type, added ingredients			----
Fruit to sugar, etc. ratio (if shown)			----
Net weight (ounces)			----
Type			----
Color			----
Style			----
Factors	**Score points**		
Color	20	(A) 18–20 (B) [1] 16–17 (C) [1] 14–15 (SStd.) [1] 0–13	
Size and symmetry	20	(A) 18–20 (B) 16–17 (C) [2] 14–15 (SStd.) [1] 0–13	
Defects	30	(A) 27–30 (B) [1] 24–26 (C) [1] 21–23 (SStd.) [1] 0–20	
Character	30	(A) 27–30 (B) [1] 24–26 (C) [1] 21–23 (SStd.) [1] 0–20	
Total score	100		
Varietal characteristics: ( ) Similar; ( ) Dissimilar			----
Flavor: ( ) Normal; ( ) Not normal			----
Grade			----

[1] Indicates limiting rule.
[2] Indicates partial limiting rule.

Dated: May 11, 1960.

ROY W. LENNARTSON,
Deputy Administrator,
Marketing Services.

[F.R. Doc. 60-4392; Filed, May 13, 1960; 8:51 a.m.]

[7 CFR Part 928]

[Docket No. AO-227-A10]

MILK IN NEOSHO VALLEY MARKETING AREA

Notice of Recommended Decision and Opportunity To File Written Exceptions to Proposed Amendments to Tentative Marketing Agreement and to Order

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), notice is hereby given of the filing with the Hearing Clerk of this recommended decision of the Deputy Administrator, Agricultural Marketing Service, United States Department of Agriculture, with respect to proposed amendments to the tentative marketing agreement, and order regulating the handling of milk in the Neosho Valley marketing area. Interested parties may file written exceptions to this decision with the Hearing Clerk, United States Department of Agriculture, Washington, D.C., not later than the close of business the 15th day after publication of this decision in the FEDERAL REGISTER. The exceptions should be filed in quadruplicate.

Preliminary statement. The hearing on the record of which the proposed amendments, as hereinafter set forth, to the tentative marketing agreement and to the order, were formulated, was conducted at Pittsburg, Kansas, on January 14 and 15, 1960, pursuant to notice thereof which was issued December 23, 1959 (24 F.R. 10913).

The material issues on the record of the hearing relate to:

1. The level of the Class II price;
2. Expansion of the marketing area;
3. Revision of the Class I price and provisions regarding handlers subject to other orders;
4. Providing a separate subclassification and lower price for concentrated milk products;
5. Providing a separate classification and lower price for milk used to produce specified manufactured dairy products;
6. Changing the scope of regulation by raising the pool plant requirements and limiting the diversion privilege;
7. Providing for individual-handler pools;
8. Changing the base-setting months;
9. Substituting a modified take-out and pay-back plan for the base rating plan; and
10. Administrative changes.

Issue number 1 was dealt with separately and an order amending the order was issued March 28, 1960 (25 F.R. 2722).

Findings and conclusions. The following findings and conclusions on the material issues are based on evidence presented at the hearing and the record thereof:

2. *Marketing area.* The marketing area should be expanded to include Chautauqua County, Kansas.

At the time of the hearing all of the milk being sold in this county was priced under the Neosho Valley and Wichita milk marketing orders. While there is, therefore, no immediate change in milk marketing conditions to be provided by the extension of regulation in this county, such extension will provide assurance to the present handlers that effective minimum prices will apply to all handlers who may enter the sales territory. The major portion of sales are by handlers regulated under the Neosho Valley order and it is, therefore, appropriate that the county be included in this marketing area. No opposition to the proposed expansion was expressed at the hearing or in the briefs filed by interested parties.

The marketing area should not be expanded to include the three Oklahoma counties of Washington, Nowata, and Craig. Such expansion would bring under regulation two handlers who are not now subject to any orders. One of these is operating as a producer dealer and distributing only in Nowata County. The other purchases milk from eight dairy farmers and distributes in Craig County and also in Ottawa County, which was not proposed to be regulated.

The major portion of Class I sales in each of the three Oklahoma counties is made by handlers regulated under the Neosho Valley and Oklahoma Metropolitan orders. There was no evidence that producers supplying the unregulated plants are facing any milk marketing problems which would prompt them to request extension of regulation. Neither was it shown that any regulated handlers in either of the adjacent regulated markets faced any competitive problems with the unregulated handlers which were based on prices paid for milk.

In the circumstances, the three Oklahoma counties should not be included in the Neosho Valley marketing area.

3. *Class I price.* There should be no change in the Class I price provisions of the order nor in the provisions regarding milk marketed by handlers operating plants subject to other Federal orders.

The essential elements of the Class I price problem include the ability and willingness of local shippers to continue to furnish an adequate supply of milk to the local handlers and the relationship of the Neosho Valley Class I price to that prevailing in the other directly competitive markets.

In recent years, the fully regulated Neosho Valley handlers have obtained their entire supplies of Class I milk from regular producers. However, there has been a significant shift in the origin of such producers. In August 1958, a substantial number of new shippers were shifted from the Ozarks market to the Neosho Valley market and an additional number were similarly transferred in August 1959. On the other hand, there has been a loss of shippers from the Neosho Valley market into northeastern Oklahoma. In addition, the handler drawing milk from the northeastern Oklahoma territory has paid significant premiums in order to hold his remaining shippers.

Handlers regulated under other Federal orders have substantial route sales in the Neosho Valley marketing area. At the time of the hearing this competition included handlers regulated under the Ozarks, Kansas City and Wichita orders. Neosho Valley handlers also compete for sales outside the marketing area with handlers regulated under the Oklahoma Metropolitan and Ozarks orders. Such competition is most extensive with respect to handlers regulated under the Oklahoma Metropolitan order located at Tulsa and Ponca City which are in the minus 10-cent zone. The major Neosho Valley handlers distribute fluid milk throughout the Neosho Valley market.

The Neosho Valley Class I price is determined by a basic formula plus a Class I differential which averages $1.34. This

price is further subject to limits of the Ozarks Class I price plus 15 cents and the Oklahoma Metropolitan Class I price less 33 cents. Effective April 1, 1960, the Ozarks Class I price is in fixed relationship to the St. Louis Class I price inclusive of a supply-demand adjustment based on St. Louis utilization data, and St. Louis, in turn is tied to the Chicago Class I price. Official notice is hereby taken of the Assistant Secretary's decision of March 24, 1960, regarding proposed amendments to the Ozarks milk marketing order (25 F.R. 2626). The Kansas City Class I price averages $1.35 over a basic formula price and is subject to a supply-demand adjustment; the Wichita Class I price is $1.65 over a basic formula price and is subject to a supply-demand adjustment and the Oklahoma Metropolitan Class I price averages $1.85 over a basic formula price and is subject to a supply-demand adjustment.

In 1957 the Neosho Valley Class I price for 4.0 percent milk averaged $4.83, in 1958 it was $4.78, and in 1959 it was $4.77. For the same years the Class I prices for 4.0 percent milk in the Ozarks (at Springfield, Mo.) averaged $4.40, $4.40 and $4.40, in Kansas City $4.85, $4.81 and $4.75, in Wichita $5.19, $5.06 and $4.98, and in Oklahoma, at Tulsa and Ponca City, $5.10, $5.09 and $5.07.

Since the Neosho Valley milk market is affected by competition in procurement from handlers in these other markets some of which operate on higher and some on lower price levels, it is impossible to establish a uniform Class I price for the Neosho Valley market which is in close alignment with each of these other markets.

The possibility of establishing price zones within the Neosho Valley market was extensively explored at the hearing. Such consideration was in terms of a lower priced zone at Joplin, Missouri, where the competition from Ozarks handlers is most extensive and where Neosho Valley producer prices appear most attractive to Ozarks shippers, and to a higher priced zone in the western part of the market, including Coffeyville, Kansas, where procurement and sales competition with the Oklahoma handlers is most extensive. However, zoning does not appear from this record to be an adequate solution to the price alignment problem because handlers located in the western part of the market at points such as Coffeyville and Parsons sell milk throughout the marketing area and beyond it, while the Joplin handlers also cover the entire market. Therefore, zone pricing would create lack of uniformity in prices paid by handlers competing within the Neosho marketing area.

Under the Neosho Valley order, there is a charge on milk distributed in the area from plants subject to any other Federal order under which the Class I price is less than under the Neosho Valley order. It was proposed at the hearing that this charge be eliminated. The payment, at a rate based on the difference in Class I prices at the location of the plant at which the milk is received from farmers, is paid into the producer settlement fund of the order under which such farmer's milk is pooled and priced.

In practice, the payment applies only to milk received at plants regulated under the Ozarks order. This payment is designed to assure the Neosho Valley handlers that Ozarks handlers will not have a competitive price advantage in distributing milk within the Neosho market at a lower Class I price than that prevailing under this order.

It is concluded that no change should be made in the pricing provisions relative to Class I sales in the Neosho Valley market by handlers regulated under other Federal orders.

4. *Concentrated milk products.* The proposal for separate classification and a 30-cent lower price on "concentrated milk products marketed in competition with fluid Grade A milk" should not be adopted.

This proposal referred to concentrated milk products other than evaporated milk. Such products are still in the preliminary stages of development and market acceptance. They include various frozen and hermetically sealed concentrates which are designed to provide longer keeping quality than fresh fluid milk but are not considered evaporated milk.

No such products are currently being sold in the Neosho Valley marketing area. At this time, it is not possible to develop an accurate definition of the product involved or to determine the manner in which plants which might produce a given concentrated milk product might be regulated. There is, therefore, no basis at this time for developing appropriate amendments to the order to deal with concentrated milk products.

5. *Proposed Class III.* It was proposed that milk used to produce butter, nonfat dry milk, hard cheese, and evaporated milk be classified separately in a new Class III and be priced at the level of prices paid by local manufacturing plants. This was advanced as a counter-proposal to the proposals for increasing the Class II price.

The Class II price issue was considered in the decision of the Assistant Secretary, issued March 22, 1960 (25 F.R. 2535). The amendments described in the decision became effective April 1, 1960. The decision dealt with all manufacturing uses of pooled milk in this market and the proposals for a separate Class III is, therefore, denied on the basis of the findings in that decision.

6. *Pool plants and diversion.* The notice of hearing contained two proposals for raising the pool plant standards and two for limiting the diversion privilege. One of the pool plant proposals was not supported by its proponent at the hearing.

The principal bargaining association of producers contended that an unduly low Class II price was in fact the principal factor in the rather large portion of Class II milk carried by some handlers in this market. Moreover, the conversion from the handling of milk in 10-gallon cans to farm bulk tanks is taking place in this market. The association desires a maximum degree of flexibility in the movement of milk from farm to market during the transition period. It also expects to be able to reassign milk between handlers, thereby reducing the need for amendment of the pool plant requirements.

Official notice is taken that the order was amended effective April 1, 1960, to raise the Class II price. It is concluded that the effects of this action and of further conversion to bulk tank pickup should be studied before any further consideration is given to amendment of the pool plant standards or the diversion provisions.

7. *Individual-handler pools.* The proposal to substitute individual-handler pools for the marketwide pool was made by the handler who procures a portion of his supply from producers located in Oklahoma. With respect to this supply, he is in direct competition with Oklahoma handlers at higher blend prices and has paid premiums in order to hold these shippers.

This handler has also had a higher annual average utilization than the marketwide average. Individual-handler pools would, therefore, enable him to pay more to his shippers at any given level of class prices and would correspondingly reduce his premium payments. Some aspects of his procurement problem were considered in the findings and conclusions regarding Class I prices.

Since the inception of the Neosho Valley order, several handlers have undertaken substantial specialization in the handling of Class II milk while other handlers have concentrated on Class I operations and have diverted or transferred their reserve milk to manufacturing plants. It follows that individual-handler pools would cause far-reaching changes in the marketing of milk. It is concluded that the order should not be amended to provide for individual-handler pools.

8. *Base-rating.* The proposal to change the base setting months from August through November to September through December should not be adopted.

This proposal was based primarily on the percentage of producer milk utilized in Class I during the fall months of 1958 and 1959. It should be noted, however, that these data do not reflect the normal seasonal pattern of Class I sales and production. There was an unusually large increase in the number of producers in August and September of 1958 and 1959. However, a more important factor was a large increase in Class I sales, most of which were out-of-area bulk sales. The base-rating plan is designed primarily to affect the seasonal production of the regular shippers on the market. This effect can best be measured by the data of production per producer per day. These data disclose that August was the month of lowest production in each of the years 1954 through 1957 but that July has been the shortest month in both 1958 and 1959. These data demonstrate conclusively that if any change were to be made, the base setting and base using months should be earlier in the calendar year rather than later. The data on bottled sales, in and out of the marketing

area, by the regulated handlers do not indicate any marked shift in seasonality of the regular Class I sales. However, since producer acceptance is such an important element in seasonal incentive plans, it is concluded that no change in the base-rating plan should be made at this time.

9. *Modified seasonal incentive plan.* A new type of seasonal incentive plan was also considered at the hearing. It involved establishing rates of payback ranging from zero in the case of producers whose daily deliveries in the payback months were below 70 percent of their deliveries in the takeout months, to a maximum payback to those producers whose payback deliveries were equal to or above their takeout deliveries. Determination of an individual producer's fall incentive payment under this method requires classifying of producers and other determinations prior to payment.

One deficiency in the proposal is that not all producers would receive the same reward for making some improvement in the seasonality of their productions. For example, those who brought their fall production up from 50 percent of the flush season average to 69 percent would still be in the category which receives no portion of the fall payback.

The success of any fall incentive plan is related to the degree of producer knowledge and acceptance of its operation. Since the proposed new plan was not supported by two cooperatives representing the great majority of shippers serving the market, it is concluded that such an incentive payment plan should not be adopted at this time.

10. *Administrative change.* A necessary administrative change involves deducting from payments to any handlers out of the producer settlement fund any unpaid balances due the market administrator from such handler for the producer settlement, administrative, or marketing service accounts. This provision is required to avoid unnecessary administrative inconvenience.

Rulings on proposed findings and conclusions. Briefs and proposed findings and conclusions were filed on behalf of certain interested parties in the market. These briefs, proposed findings and conclusions and the evidence in the record were considered in making the findings and conclusions set forth above. To the extent that the suggested findings and conclusions filed by interested parties are inconsistent with the findings and conclusions set forth herein, the requests to make such findings or reach such conclusions are denied for the reasons previously stated in this decision.

General findings. The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations previously made in connection with the issuance of the aforesaid order and of the previously issued amendments thereto; and all of said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) The tentative marketing agreement and the order, as hereby proposed to be amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the Act;

(b) The parity prices of milk as determined pursuant to section 2 of the Act are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply and demand for milk in the marketing area, and the minimum prices specified in the proposed marketing agreement and the order, as hereby proposed to be amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and

(c) The tentative marketing agreement and the order, as hereby proposed to be amended, will regulate the handling of milk in the same manner as, and will be applicable only to persons in the respective classes of industrial and commercial activity specified in, a marketing agreement upon which a hearing has been held.

Recommended marketing agreement and order amending the order. The following order amending the order regulating the handling of milk in the Neosho Valley marketing area is recommended as the detailed and appropriate means by which the foregoing conclusions may be carried out. The recommended marketing agreement is not included in this decision because the regulatory provisions thereof would be the same as those contained in the order, as hereby proposed to be amended:

1. In § 928.6 after "Bourbon" insert the word "Chautauqua,".

2. In § 928.94 change the period at the end of the section to a colon and add the following: *"And provided further,* That any payments hereunder shall be reduced by the amount of any unpaid balances due the market administrator from such handler pursuant to §§ 928.93, 928.95, 928.96 or 928.97."

Issued at Washington, D.C., this 11th day of May 1960.

ROY W. LENNARTSON,
Deputy Administrator.

[F.R. Doc. 60-4393; Filed, May 13, 1960; 8:51 a.m.]

DEPARTMENT OF LABOR

Division of Public Contracts

[41 CFR Part 50-202]

FABRICATED STRUCTURAL STEEL INDUSTRY

Hearing Reopened in Determination of Prevailing Minimum Wages

On April 29, 1958, a hearing was held pursuant to sections 1 and 10 of the Walsh-Healey Public Contracts Act (40 Stat. 2036; 41 U.S.C. 35 et seq.) to determine prevailing minimum wages for the fabricated structural steel industry. On March 19, 1959 (24 F.R. 2404-2407), I issued a tentative decision on all matters in issue, based upon the record made at the hearing, as required by section 8 of the Administrative Procedure Act (60 Stat. 242; 5 U.S.C. 1007). The tentative decision provided opportunity for interested persons to file exceptions and state their reasons.

Upon consideration of the exceptions, supporting reasons and requests I have received on behalf of certain employers in the industry, I have decided to reopen the hearing for the purpose of taking additional evidence on: (1) Whether the determination should be for one or more localities in which products are to be manufactured or from which they are to be furnished under contracts subject to the determination (according to the same areas or to variant areas to which such products are known to be destined at the time bids are invited, solicited, or negotiated), (2) whether separate determinations should be made for the galvanized and nongalvanized products of the industry, and (3) what are the minimum wages which prevail with respect to each product and locality determination which should be made.

For the purpose of the reopened hearing the fabricated structural steel industry is defined as follows:

The fabricated structural steel industry is defined as that industry which fabricates the following items of iron, steel or other metals for structural purposes: Anchors; bases; beams, purlins, girts; bearing plates; bearing shoes for bridges; bracing; brackets; bridge pins; bridge railings; columns, including those of pipe or cement filled pipe; counterweight boxes for bridges; crane rails and stops; door frames constituting part of the structural framing; expansion joints connected to the structural frame; floor plates (checkered or smooth) connected to the structural frame; girders; grillage beams and girders; hangers, if attached to the structural framing and shown on the framing plans; lintels shown on the framing plans or otherwise enumerated or scheduled; marquees (structural frame only); monorail beams of standard structural shapes; separators, angles, tees, clips and other detail fittings essential to the structural frame; suspending ceiling supports of structural shapes 3 inches or greater in depth; shop rivets, permanent shop bolts, bolts required to assemble parts for shipment and shop welds; struts; tie, hanger and sag rods forming part of the structural frame; and trusses. Excluded is the manufacture of architectural ornamental work such as grille work, fences and gates, stairs, staircases, fire escapes, railings, and open-steel flooring; prefabricated and portable metal buildings and parts (if primarily of light-gauge metal); metal doors, sashes, frames, molding, and trim; metal plaster bases; bar joists; concrete reinforcing bars; basic metal structural shapes such as those manufactured by steel works and rolling mills; and fabrication work done by construction contractors at the site of construction.

Therefore, pursuant to the provisions of section 4 of the Administrative Procedure Act (60 Stat. 238; 5 U.S.C. 1003),

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notice is hereby given that the hearing to determine prevailing minimum wages in the fabricated structural steel industry will be reopened and reconvened on June 14, 1960, at 10 o'clock a.m. eastern daylight time in Room No. 5041, United States Post Office Building, 12th Street and Pennsylvania Avenue NW., Washington 25, D.C., before a Hearing Examiner appointed and assigned in conformity with section 11 of the Administrative Procedure Act for the limited purposes stated above.

Any interested person may appear at the time and place specified herein and submit evidence on the issues enumerated above.

Written statements may be filed with the Chief Hearing Examiner by persons who cannot appear personally at any time prior to the date the hearing is reopened. An original and three copies of any such statement shall be filed, and shall include the reason or reasons for non-appearance. Such statement shall be under oath or affirmation and will be offered in evidence at the hearing. If objection is made to the admission of any such statement, the Hearing Examiner shall determine whether it will be received in evidence.

Data introduced at the 1958 hearing related to a regional survey of origins and destinations of actual and offered shipments which would have been subject to the determination here contemplated had it then been in effect, are being revised to identify the particular states of origin and destination and the galvanized or non-galvanized characteristics of each such shipment. This revision will be distributed, when it is completed, to all persons who participated as parties in the 1958 hearing and to all others who request it. It will be offered in evidence at the reopened hearing.

To the extent possible, the evidence of each witness and the sworn or affirmed statements of persons who cannot appear personally, should permit evaluation on a plant-by-plant basis, and state: (1) (a) The number and location of establishments in the industry, or within the product groups defined herein, to which the testimony of such witness or such written statement is applicable, (b) the number of workers in each such establishment, (c) the minimum rates paid to covered workers and the number of covered workers at each such establishment receiving such rates, and the occupations in which they are employed: (2) the geographic area or areas of competition for government contracts or categories of government contracts in the industry according to the same areas or to variant areas of destination contemplated in such contracts both for the industry as a whole and separately with respect to its galvanized and nongalvanized products; and (3) any changes in the minimum wages paid since March 1957 to persons employed in this industry.

The hearing will be conducted pursuant to the rules of practice for minimum wage determinations under the Walsh-Healey Public Contracts Act codified in 41 CFR Part 50–203. Evidence taken at the April, 1958 hearing will be considered in making the determination, and will not be received a second time at the reopened hearing.

Signed at Washington, D.C., this 10th day of May 1960.

JAMES P. MITCHELL,
Secretary of Labor.

[F.R. Doc. 60–4368; Filed, May 13, 1960; 8:47 a.m.]

Wage and Hour Division

[29 CFR Part 683]

[Administrative Order 533]

INDUSTRY COMMITTEE NO. 47–C

Resignation and Appointment of Employer Member

Anthony Chemel has become too ill to serve and has resigned as an employer representative on Committee No. 47–C. Under the authority of the Fair Labor Standards Act of 1938 (52 Stat. 1060, as amended; 29 U.S.C. 201 et seq.), and Reorganization Plan No. 6 of 1950 (3 CFR, 1950 Supp., p. 165), I hereby appoint Oscar Castro-Rivera to serve on said committee as an employer representative.

Signed at Washington, D.C., this 10th day of May 1960.

JAMES P. MITCHELL,
Secretary of Labor.

[F.R. Doc. 60–4369; Filed, May 13, 1960; 8:48 a.m.]

Notices

DEPARTMENT OF COMMERCE

Federal Maritime Board

[Docket No. 888].

GULF/SOUTH AND EAST AFRICA CONFERENCE

Notice of Order To Show Cause

On April 28, 1960, the Federal Maritime Board entered the following order to show cause why Agreement No. 7780 of the Gulf/South and East Africa Conference should not be cancelled:

The response of the Conference and members thereof to the Order of December 17, 1959, in this proceeding having been received and considered, and good cause appearing;

It is ordered, That the Conference and its members show cause in writing on or before August 8, 1960, why Conference Agreement No. 7780 should not be cancelled; and

It is further ordered, That this order be published in the FEDERAL REGISTER and served on said Conference and each of the members thereof.

Dated: May 11, 1960.

By order of the Federal Maritime Board.

JAMES L. PIMPER,
Secretary.

[F.R. Doc. 60-4364; Filed, May 13, 1960; 8:47 a.m.]

FARRELL LINE, INC., ET AL.

Notice of Agreements Filed for Approval

Notice is hereby given that the following described agreements have been filed with the Board for approval pursuant to section 15 of the Shipping Act, 1916 (39 Stat. 733, 46 U.S.C. 814):

(1) Agreement No. 8456, between Farrell Line, Incorporated, and the carriers comprising the Gulf West Africa Joint Service, covers a through billing arrangement in the trade between Harbel, Grand Bassa, Sinoe and Cape Palmas, Liberia, and United States Gulf ports, with transhipment at Monrovia, Liberia. Agreement No. 8456, upon arrival, will supersede and cancel approved Agreement No. 8267.

(2) Agreement No. 8462, between Farrell Line, Incorporated, and Compagnie Maritime des Chargeurs Reunis, covers a through billing arrangement in the trade between Harbel, Grand Bassa, Sinoe and Cape Palmas, Liberia, and United States Atlantic ports, with transhipment at Monrovia, Liberia. Agreement No. 8462, upon approval, will supersede and cancel approved Agreement No. 8096.

Interested parties may inspect these agreements and obtain copies thereof at the Office of Regulations, Federal Maritime Board, Washington, D.C., and may submit, within 20 days after publication of this notice in the FEDERAL REGISTER, written statements with reference to either of the agreements and their position as to approval, disapproval, or modification, together with request for hearing should such hearing be desired.

Dated: May 11, 1960.

By order of the Federal Maritime Board.

JAMES L. PIMPER,
Secretary.

[F.R. Doc. 60-4365; Filed, May 13, 1960; 8:47 a.m.]

Maritime Administration

[Docket No. S-112]

MOORE-McCORMACK LINES, INC.

Notice of Application and of Hearing

Notice is hereby given of the application of Moore-McCormack Lines, Inc., for written permission of the Maritime Administrator, under section 805(a) of the Merchant Marine Act, 1936, as amended, 46 U.S.C. 1223, for its owned vessel, the "SS Mormacsun," which is under time charter to States Marine Lines to engage in one intercoastal voyage commencing at United States North Pacific ports on or about May 28, 1960, to load lumber and/or lumber products for discharge at United States Atlantic ports. This application may be inspected by interested parties in the Hearing Examiners' Office, Federal Maritime Board.

A hearing on the application has been set before the Maritime Administrator for May 25, 1960, at 9:30 a.m., e.d.t., in Room 4458, General Accounting Office Building, 441 G Street NW., Washington 25, D.C. Any person, firm, or corporation having any interest (within the meaning of section 805(a)) in such application and desiring to be heard on issues pertinent to section 805(a) must, before the close of business on May 24, 1960, notify the Secretary, Maritime Administration in writing, in triplicate, and file petition for leave to intervene which shall state clearly and concisely the grounds of interest, and the alleged facts relied on for relief. Notwithstanding anything in Rule 5(n) of the rules of practice and procedure, Maritime Administration, petitions for leave to intervene received after the close of business on May 24, 1960, will not be granted in this proceeding.

Dated: May 11, 1960.

JAMES L. PIMPER,
Secretary.

[F.R. Doc. 60-4363; Filed, May 13, 1960; 8:47 a.m.]

DEPARTMENT OF AGRICULTURE

Commodity Stabilization Service

WHEAT

Notice of Referendum for Marketing Quotas 1961-62

The Secretary of Agriculture has duly proclaimed pursuant to the provisions of the Agricultural Adjustment Act of 1938, as amended, a national marketing quota for wheat for the marketing year beginning July 1, 1961. Said Act requires the Secretary to conduct a referendum between the date of said proclamation and July 25, 1960, of farmers who will be subject to such quota in order to determine whether such farmers favor or oppose such quota. Prior to the establishment of this date public notice was given (25 F.R. 218) that the Secretary had under consideration the establishment of the date for holding the referendum. No views, data, or recommendations were received pursuant to such notice with respect to the date for such referendum. It is hereby determined that such referendum shall be held on July 21, 1960.

Done at Washington, D.C., this 10th day of May 1960.

E. T. BENSON,
Secretary.

[F.R. Doc. 60-4360; Filed, May 13, 1960; 8:46 a.m.]

DEPARTMENT OF LABOR

Office of the Secretary

[General Order 92 (Revised)]

VARIOUS OFFICIALS

Delegations of Authority To Enter Into and Execute Contracts

In accordance with section 3 of the Administrative Procedure Act (60 Stat. 238; 5 U.S.C. 1002), and by virtue of and pursuant to the Act of March 4, 1913 (37 Stat. 736, 5 U.S.C. 611) R.S. 161 (5 U.S.C. 22), and Reorganization Plan No. 6 of 1950 (15 F.R. 3174, 64 Stat. 1263, 5 U.S.C. 611 note), and Delegation of Authority 363 of the Administrator of General Services Administration (24 F.R. 1921), it is hereby ordered that the following persons are authorized to act for the Secretary of Labor in performing the functions and duties specified:

1. The Chief, Division of Office Services, Office of the Administrative Assistant Secretary, is authorized, in accordance with regulations of the Administrator of General Services Administration and other pertinent provisions of law, to procure telephone, electric, drayage, and other recurring services, under

existing contracts and to enter into and execute contracts therefor, obligating funds available for such expenses appropriated or allotted to the Department of Labor or to any bureau, division, office, or service of the Department.

2. The Chief, Division of Procurement, Supplies and Reproduction Processes, Office of the Administrative Assistant Secretary, is authorized, in accordance with the Federal Property and Administrative Services Act of 1949, as amended (63 Stat. 393, 41 U.S.C. 251 et seq.), Delegation of Authority 363 of the Administrator of General Services Administration (24 F.R. 1921), other pertinent provisions of law, and regulations of the Administrator of General Services Administration to procure supplies, equipment, and services under existing contracts and to enter into and execute contracts therefor, obligating funds available for such purposes appropriated or allotted to the Department of Labor or to any bureau, division, office, or service of the Department. This authority shall include the authority to procure books, newspapers, periodicals, and commercial and labor reporting services ordered by the Librarian.

3. The Chief, Division of Procurement, Supplies, and Reproduction Processes, Office of the Administrative Assistant Secretary, the Director, Office of International Personnel and Management in the Bureau of International Labor Affairs, and the Chief, Office of Management, Bureau of Labor Statistics, are individually authorized to enter into and execute contracts without advertising under Delegation of Authority 363 (24 F.R. 1921), of the Administrator of General Services Administration and pursuant to Title III of the Federal Property and Administrative Services Act of 1949, as amended (63 Stat. 393, 41 U.S.C. 251 et seq.), except section 305 (advance payments), and sub-sections 302(c) (10), (11) and (12) (non-delegable or limitedly delegable authorities).

4. The Director, Office of International Personnel and Management, Bureau of International Labor Affairs, is also authorized to enter into contracts related to the training or orientation of foreign nationals pursuant to existing agreements entered into by the Department of Labor with operating Federal Agencies under provisions of the Mutual Security Act of 1951, as amended (68 Stat. 832, 22 U.S.C. 1750), and the United States Information and Educational Exchange Act of 1948 (62 Stat. 6, 22 U.S.C. 1431). This authority shall include the execution of such contracts for all bureaus of the Department under any such authorized program, subject to funds made available by the said agreements with such Agencies.

5. (a) The Administrative Assistant Secretary and the Deputy Administrative Assistant Secretary are also authorized (1) to perform any of the functions and duties delegated by the preceding paragraphs of this Order to any other person, and (2) to provide for such advertising as may be required by law or necessary for the efficient operations of the Department.

(b) The Administrative Assistant Secretary may also promulgate such procedures as may be deemed necessary to carry out the purposes of this Order.

6. As provided in the Secretary's applicable regulations, all contracts of the Department are subject to review by the Solicitor. In order, however, to avoid unnecessary review, all contracts entered into under the authority of this Order prepared on standard forms or forms previously approved by the Solicitor, are not required to be submitted to the Solicitor for review. If changes or additions are made in the standard forms, or forms previously approved by the Solicitor, which may affect the legal obligations arising under the contracts, they shall be submitted to the Solicitor for review.

7. This Order shall become effective immediately and shall supersede Secretary's Instruction No. 40 and all other prior orders, instructions, regulations, or memoranda of the Secretary of Labor to the extent that they are inconsistent herewith.

Signed at Washington, D.C., this 6th day of May 1960.

JAMES T. O'CONNELL,
Acting Secretary of Labor.

[F.R. Doc. 60-4354; Filed, May 13, 1960; 8:46 a.m]

SECURITIES AND EXCHANGE COMMISSION

CORNELL-DUBILIER ELECTRIC CORP.

Notice of Application To Strike From Listing and Registration and of Opportunity for Hearing

MAY 10, 1960.

In the matter of Cornell-Dubilier Electric Corporation, Common Stock, File No. 1-3192.

New York Stock Exchange has filed an application with the Security and Exchange Commission pursuant to section 12(d) of the Securities Exchange Act of 1934 and Rule 12d2-1(b) promulgated thereunder, to strike the specified security from listing and registration thereon.

The reasons alleged in the application for striking this security from listing and registration include the following: Deposits and commitments pursuant to an offer of exchange by Federal Pacific Electric Company leave less than 30,000 shares in public hands. Stockholders number less than 250 after discounting those of odd lots.

Upon receipt of a request, on or before May 27, 1960, from any interested person for a hearing in regard to terms to be imposed upon the delisting of this security, the Commission will determine whether to set the matter down for hearing. Such request should state briefly the nature of the interest of the person requesting the hearing and the position he proposes to take at the hearing with respect to imposition of terms. In addition, any interested person may submit his views or any additional facts bearing on this application by means of a letter addressed to the Secretary of the Securities and Exchange Commission, Washington 25, D.C. If no one requests a hearing on this matter, this application will be determined by order of the Commission on the basis of the facts stated in the application and other information contained in the official files of the Commission pertaining to the matter.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F.R. Doc. 60-4384; Filed, May 13, 1960; 8:49 a.m.]

ATOMIC ENERGY COMMISSION

[Docket No. 27-20]

OCEAN TRANSPORT CO.

Byproduct, Source, and Special Nuclear Material License; Amendment

Please take notiee that the Atomic Energy Commission on May 6, 1960, issued Amendment No. 1 to License No. 4-5668-1, held by Ocean Transport Company, No. 1 Drumm Street, San Francisco 11, California. The amendment authorizes the licensee to fill and seal five concrete blocks containing radioactive waste materials which are at the Naval Supply Center, Oakland, California, and to transport said blocks to the storage yard of the Ocean Transport Company in Richmond, California, for storage only pending further authorization of the Atomic Energy Commission. A copy of the docket and the license amendment are available for inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C.

Dated at Germantown, Md., this 9th day of May 1960.

For the Atomic Energy Commission.

H. L. PRICE,
Director,
Licensing and Regulation.

[F.R. Doc. 60-4346; Filed, May 13, 1960; 8:45 a.m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[Notice 7]

ALASKA

Notice of Filing of Protraction Diagrams, Fairbanks Land District

MAY 9, 1960.

Notice is hereby given that the following protraction diagrams have been officially filed of record in the Fairbanks Land Office, 516 Second Avenue, Fairbanks, Alaska. In accordance with 43 CFR 192.42a(c) (24 F.R. 4140, May 22, 1959) oil and gas offers to lease lands shown in these protracted surveys, filed

30 days after publication of this notice in the FEDERAL REGISTER, must describe the lands only according to the Section, Township and Range shown on the approved protracted surveys. The protraction diagrams are also applicable for all other authorized uses.

ALASKA PROTRACTION DIAGRAMS (UNSURVEYED)

FAIRBANKS MERIDIAN—FOLIO NO. 5

Sheet No.

1. Ts. 13 thru 16 N., Rs. 17 thru 20 W.
2. Ts. 13 thru 16 N., Rs. 21 thru 24 W.
3. Ts. 13 thru 16 N., Rs. 25 thru 26 W.
4. Ts. 9 thru 12 N., Rs. 25 thru 26 W.
5. Ts. 9 thru 12 N., Rs. 21 thru 24 W.
6. Ts. 9 thru 12 N., Rs. 17 thru 20 W.
7. Ts. 5 thru 8 N., Rs. 17 thru 20 W.
8. Ts. 5 thru 8 N., Rs. 21 thru 24 W.
9. Ts. 5 thru 8 N., Rs. 25 thru 26 W.
10. Ts. 1 thru 4 N., Rs. 25 thru 27 W.
11. Ts. 1 thru 4 N., Rs. 21 thru 24 W.
12. Ts. 1 thru 4 N., Rs. 17 thru 20 W.

Cover Sheet Showing Location Map and Index.

FAIRBANKS MERIDIAN—FOLIO NO. 10

Sheet No.

3. Ts. 1 thru 4 S., Rs. 9 thru 12 W.
4. Ts. 1 thru 4 S., Rs. 13 thru 16 W.
5. Ts. 5 thru 8 S., Rs. 13 thru 16 W.
8. Ts. 5 thru 8 S., Rs. 1 thru 4 W.
9. Ts. 9 thru 12 S., Rs. 1 thru 4 W.
12. Ts. 9 thru 12 S., Rs. 13 thru 16 W.
13. Ts. 13 thru 16 S., Rs. 13 thru 16 W.
14. Ts. 13 thru 16 S., Rs. 9 thru 12 W.
16. Ts. 13 thru 16 S., Rs. 1 thru 4 W.
18. Ts. 17 thru 20 S., Rs. 5 thru 8 W.
19. Ts. 17 thru 20 S., Rs. 9 thru 12 W.
20. Ts. 17 thru 20 S., Rs. 13 thru 16 W.
21. Ts. 21 thru 22 S., Rs. 13 thru 16 W.
22. Ts. 21 thru 22 S., Rs. 9 thru 12 W.
23. Ts. 21 thru 22 S., Rs. 5 thru 8 W.
24. Ts. 21 thru 22 S., Rs. 1 thru 4 W.

SEWARD MERIDIAN—FOLIO NO. 3

Sheet No.

1. Ts. 33 thru 34 N., Rs. 17 thru 20 W.
2. Ts. 33 thru 34 N., Rs. 21 thru 24 W.
3. Ts. 33 thru 34 N., Rs. 25 thru 28 W.
4. Ts. 33 thru 34 N., Rs. 29 thru 32 W.
5. Ts. 29 thru 32 N., Rs. 29 thru 32 W.
6. Ts. 29 thru 32 N., Rs. 25 thru 28 W.
7. Ts. 29 thru 32 N., Rs. 21 thru 24 W.
8. Ts. 29 thru 32 N., Rs. 17 thru 20 W.
9. Ts. 25 thru 28 N., Rs. 17 thru 20 W.
10. Ts. 25 thru 28 N., Rs. 21 thru 24 W.
11. Ts. 25 thru 28 N., Rs. 25 thru 28 W.
12. Ts. 25 thru 28 N., Rs. 29 thru 32 W.
13. Ts. 21 thru 24 N., Rs. 29 thru 32 W.
14. Ts. 21 thru 24 N., Rs. 25 thru 28 W.
15. Ts. 21 thru 24 N., Rs. 21 thru 24 W.
16. Ts. 21 thru 24 N., Rs. 17 thru 20 W.
17. Ts. 17 thru 20 N., Rs. 17 thru 20 W.
18. Ts. 17 thru 20 N., Rs. 21 thru 24 W.
19. Ts. 17 thru 20 N., Rs. 25 thru 28 W.
20. Ts. 17 thru 20 N., Rs. 29 thru 32 W.

Cover Sheet Showing Location Map and Index.

Copies of these diagrams are for sale at one dollar ($1.00) per sheet and may be obtained from the Fairbanks Land Office, Bureau of Land Management. Mailing address: 516 Second Avenue, Fairbanks, Alaska.

DANIEL A. JONES,
Manager.

[F.R. Doc. 60-4348; Filed, May 13, 1960; 8:45 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket Nos. 13466-13468; FCC 60M-803]

BRANDYWINE BROADCASTING CORP. ET AL.

Order for Prehearing Conference

In re applications of Brandywine Broadcasting Corporation, Media, Pennsylvania, Docket No. 13466, File No. BP-11856; David G. Hendricks and Lester Grenewalt, d/b as Boyertown Broadcasting Company, Boyertown, Pennsylvania, Docket No. 13467, File No. BP-12548; Dinkson Corporation, Hammonton, New Jersey, Docket No. 13468, File No. BP-12955; for construction permits.

A prehearing conference in the above-entitled proceeding will be held on Thursday, May 26, 1960, beginning at 10:00 a.m. in the offices of the Commission, Washington, D.C. This conference is called pursuant to the provisions of § 1.111 of the Commission's rules and the matters to be considered are those specified in that section of the rules.

It is so ordered, This the 9th day of May 1960.

Released: May 10, 1960.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Acting Secretary.

[F.R. Doc. 60-4386; Filed, May 13, 1960; 8:50 a.m.]

[Docket Nos. 12839, 12840; FCC 60M-801]

NEWPORT BROADCASTING CO. AND CRITTENDEN COUNTY BROADCASTING CO.

Order Continuing Hearing

In re applications of Newport Broadcasting Company, West Memphis, Arkansas, Docket No. 12839, File No. 12113; Crittenden County Broadcasting Company, West Memphis, Arkansas, Docket No. 12840, File No. 12405; for construction permits.

The Hearing Examiner having under consideration the informal request for continuance of hearing filed in the above-entitled proceeding on May 9, 1960, by Newport Broadcasting Company;

It appearing that all parties have consented to immediate consideration and grant of the said request and that good cause for a grant thereof is shown in that counsel for each applicant has been advised that argument on a case in the United States Court of Appeals for the District of Columbia Circuit in which both appear has been scheduled on the date presently specified for commencement of the hearing;

It is ordered, This 9th day of May 1960 that the said request is granted and the hearing herein presently scheduled to commence on May 19, 1960, is continued to June 7, 1960, commencing at 10:00 a.m. in the offices of the Commission at Washington, D.C.

Released: May 10, 1960.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Acting Secretary.

[F.R. Doc. 60-4387; Filed, May 13, 1960; 8:50 a.m.]

[Docket Nos. 13507, 13508; FCC 60-514]

SPRINGFIELD YELLOW CAB CO. AND DAYTON CHECKER CAB CO.

Order for Hearing

In re applications of Springfield Yellow Cab Company, Docket No. 13507, File No. 30490-LX-59; Dayton Checker Cab Company, Docket No. 13508, File No. 30788-LX-59; for authorizations in the Taxicab Radio Service to operate radio facilities in the cities of Springfield, Ohio, and Dayton, Ohio, respectively.

At a session of the Federal Communications Commission held at its offices in Washington, D.C., on the 4th day of May 1960;

The Commission having under consideration the above-captioned applications of Springfield Yellow Cab Co., 9 West Washington Street, Springfield, Ohio, and Dayton Checker Cab Co., 19 Louie Street, Dayton, Ohio, for authorizations in the Taxicab Radio Service; and

It appearing that pursuant to section 309(b) of the Communications Act of 1934, as amended, Springfield Yellow Cab Co. was advised by letter of December 10, 1959, and Dayton Checker Cab Co. was advised by letter of November 30, 1959, that in view of the considerations set forth therein it could not be determined that grants of said applications would serve the public interest, convenience and necessity; and

It further appearing that upon due consideration of the replies thereto of Springfield Yellow Cab Co., dated December 31, 1959, and February 27, 1960, and of the replies of Dayton Checker Cab Co., dated December 21, 1959, and February 29, 1960, the Commission is still unable to make such a determination;

It is ordered, That, pursuant to section 309(b) of the Communications Act of 1934, as amended, said applications are designated for hearing in a consolidated proceeding, at a time and place to be specified in a subsequent order, upon the following issues:

1. To determine the facts concerning the establishment and operation of a control point of Station KQC576, licensed to Medical Business Bureau, Inc., at the office of Dayton Checker Cab Co., Dayton, Ohio.

2. To determine the facts concerning the establishment and operation of a control point of Station KQA764, licensed to Mr. Winslow D. Siedel, d/b as Radio Telephone Service Company, at the office of Springfield Yellow Cab Co., Springfield, Ohio.

3. To determine the facts concerning the dispatching of vehicles of Dayton

Checker Cab Co., Dayton, Ohio, on frequencies assigned to Station KQA340, licensed to Mr. Winslow D. Siedel, d/b as Radio Telephone Service Company.

4. To determine the facts concerning the establishment and operation of a control point of Station KQA340, licensed to Mr. Winslow D. Siedel, d/b as Radio Telephone Service Company, at the office of Dayton Checker Cab Co., Dayton, Ohio.

5. To determine the facts concerning past and present holders of financial interests in, and facts relating to past and present, direct and indirect, management of, Dayton Checker Cab Co., Dayton, Ohio.

6. To determine the facts concerning past and present holders of financial interests in, and facts relating to past and present, direct and indirect, management of, Springfield Yellow Cab Co., Springfield, Ohio.

7. To determine the facts regarding alleged violations of the Commission's rules by Stations KQA764, KQA340, and KQB691 licensed to Mr. Winslow D. Siedel, d/b as Radio Telephone Service Company.

8. To determine the facts pertaining to alleged violations of Stations KQC576 and KQC580, Dayton, Ohio, licensed to Medical Business Bureau, Inc., of which Mr. Winslow D. Siedel was technician.

9. To determine the facts concerning the ownership, control, and management of the entity licensed in the Taxicab Radio Service as Edward F. Seidel, d/b as Safety Cab Company, 250 South Fifth Street, Columbus, Ohio, Call Sign KQG851.

10. To determine whether in light of the evidence adduced on the foregoing issues, the public interest, convenience, and necessity would be served by grants of the Springfield Yellow Cab Co. and Dayton Checker Cab Co. applications.

It is further ordered, That Taxicab Radio Service licensee Edward F. Seidel, d/b as Safety Cab Company, 250 South Fifth Street, Columbus, Ohio, Call Sign KQG851, is made a party to the proceeding herein; and,

It is further ordered, That, to avail themselves of the opportunity to be heard, the applicants and Edward F. Seidel, d/b as Safety Cab Company, Columbus, Ohio, pursuant to § 1.140(c) of the Commission's rules, in person or by attorney, shall within twenty (20) days of the mailing of this order, file with the Commission, in triplicate, a written appearance stating an intention to appear on the date fixed for the hearing and present evidence on the issues specified in this order.

Released: May 9, 1960.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Acting Secretary.

[F.R. Doc. 60-4388; Filed, May 13, 1960; 8:50 a.m.]

[Docket Nos. 13473, 13474; FCC 60M-804]

TALIESIN BROADCASTING CO. AND DOUGLAS G. OVIATT & SON., INC.

Order for Prehearing Conference

In re applications of Mary W. Carpenter tr/as The Taliesin Broadcasting Company, Cleveland, Ohio, Docket No. 13473, File No. BPH-2359, The Douglas G. Oviatt & Son, Inc., Cleveland, Ohio, Docket No. 13474, File No. BPH-2914; for construction permits.

A prehearing conference in the above-entitled proceeding will be held on Friday, May 20, 1960, beginning at 10:00 a.m. in the offices of the Commission, Washington, D.C. This conference is called pursuant to the provisions of §1.111 of the Commission's rules and the matters to be considered are those specified in that section of the rules.

It is so ordered, This the 9th day of May 1960.

Released: May 10, 1960.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Acting Secretary.

[F.R. Doc. 60-4389; Filed, May 13, 1960; 8:50 a.m.]

CIVIL AERONAUTICS BOARD

[Docket 10036]

NORTH CENTRAL AIRLINES, INC.; RENEWAL OF TEMPORARY INTERMEDIATE POINTS

Notice of Hearing

Notice is hereby given, pursuant to the provisions of the Federal Aviation Act of 1958, as amended, that hearing in the above-entitled proceeding is assigned to be held on June 7, 1960, at 10:00 a.m., local time, in The Curtis Hotel, 3d Avenue South at 10th Street, Minneapolis, Minnesota, before Examiner Walter W. Bryan.

Dated at Washington, D.C., May 11, 1960.

[SEAL] FRANCIS W. BROWN,
Chief Examiner.

[F.R. Doc. 60-4394; Filed, May 13, 1960; 8:51 a.m.]

[Docket Nos. 11247, 11378; Order E-15215]

CAPITAL AIRLINES, INC., AND NORTHWEST AIRLINES, INC.

Order of Investigation

In the matter of tour basing fares proposed by Capital Airlines, Inc., Docket 11247; in the matter of tour basing fares proposed by Northwest Airlines, Inc., Docket 11378.

Adopted by the Civil Aeronautics Board at its office in Washington, D.C. on the 10th day of May 1960.

Northwest Airlines, Inc., has filed to become effective May 13, 1960, "Festival Excursion Fares" between Chicago, Milwaukee, Detroit, Minneapolis, and St. Paul, on the one hand, and New York/Newark on the other.[1] The reduced fares are conditioned primarily on the passenger's purchasing land accommodations with the purchase of the air travel ticket. The fares and provisions are, for all practical purposes, identical to those filed by Capital Airlines, Inc., as "New York Summer Festival" excursion fares, and are valid for the period July 7, 1960, through September 1, 1960, except during Friday and Sunday afternoons of this period.

Northwest complained against Capital's excursion fares and requested suspension in a complaint filed in Docket 11192. By our Order E-15050 of March 29, 1960, we instituted investigation of Capital's fares, and insofar as Northwest requested investigation we consolidated Northwest's complaint with the investigation.

Northwest's proposed fares present essentially the same issues of justness and reasonableness, discrimination, preference, and prejudice that we noted in regard to Capital's excursion fares, and should be investigated. To facilitate the investigation, we will expect Northwest to keep adequate records of traffic, revenues, and costs associated with the promotional fares here in issue. We will not suspend the effectiveness of the proposed fares, for they do not appear prima facie unreasonably low and are obviously filed to meet the direct intercarrier competition of Capital's excursion fares.

Capital has proposed to add a coach fare between Toledo and New York/Newark to its New York Festival tariff. Consistent with prior action and the investigation of Northwest's proposals, we will investigate, but not suspend, Capital's proposed coach fare, and subsequent revisions, reissues, and supplements of its New York Festival excursion tariff.

Accordingly, pursuant to sections 204(a), 403, 404, and 1002 of the Federal Aviation Act of 1958: *It is ordered,* That:

1. An investigation is instituted to determine whether the fares, rules, regulations, and other provisions of the Northwest Airlines, Inc. tariff, C.A.B. 263, and subsequent revisions, reissues, and supplements thereto, are or will be unjust, unreasonable, unjustly discriminatory, unduly preferential, unduly prejudicial, or otherwise unlawful, and if found to be unlawful to determine and prescribe the lawful fares, rules, regulations, and other provisions.

2. An investigation is instituted to determine whether the coach fare between Toledo and New York/Newark, and governing rules, regulations and other provisions appearing in the Capital Airlines, Inc. tariff, C.A.B. 40, and revisions, reissues, and supplements of this tariff

[1] Northwest Airlines, Inc., C.A.B. 263.

subsequent to this date, are or will be unjust, unreasonable, unjustly discriminatory, unduly preferential, unduly prejudicial, or otherwise unlawful, and if found to be unlawful to determine and prescribe the lawful fares, rules, regulations and other provisions.

3. The proceedings ordered herein are consolidated with the proceeding ordered in Docket 11247.

4. The proceedings ordered herein be assigned for hearing before an examiner of the Board at a time and place hereafter to be designated.

5. A copy of this order be filed with the aforesaid tariffs and a copy served upon Capital Airlines, Inc., American Airlines, Inc., and Northwest Airlines, Inc., which are made parties to these proceedings.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.[1]

[SEAL] MABEL MCCART,
Acting Secretary.

[F.R. Doc. 60-4395; Filed, May 13, 1960; 8:51 a.m.]

FEDERAL POWER COMMISSION

[Docket No. CP60-68]

KENTUCKY WEST VIRGINIA GAS CO.

Notice of Application and Date of Hearing

MAY 10, 1960.

Take notice that on March 25, 1960, Kentucky West Virginia Gas Company (Applicant) filed in Docket No. CP60-68 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction and operation of a 1,000 horsepower booster compressor station and associated facilities on its field supply system near Myra, Pike County, Kentucky, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

The proposed compressor facilities are designed to compress natural gas presently produced in the Shelby Creek Field, Kentucky, and discharge same into Applicant's existing 12-inch interstate transmission pipeline, reducing the abandonment pressure in some 248 producing wells from 60 psig to 20 psig, thus increasing the recoverable gas reserves involved by some 5,000,000 Mcf and increasing daily production to meet present obligations to existing customers by some 3,000 Mcf. Applicant plans also to utilize the subject facilities in connection with future development of gas properties in adjacent Letcher County, Kentucky.

The cost of the proposed facilities is estimated at $410,000, to be financed from general funds available to Applicant.

This matter is one that should be disposed of as promptly as possible under the applicable rules and regulations and to that end:

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on June 7, 1960, at 9:30 a.m., e.d.s.t., in a Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D.C., concerning the matters involved in and the issues presented by such application: *Provided, however,* That the Commission may, after a non-contested hearing, dispose of the proceedings pursuant to the provisions of § 1.30(c) (1) or (2) of the Commission's rules of practice and procedure. Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D.C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before May 27, 1960. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 60-4371; Filed, May 13, 1960; 8:48 a.m.]

[Docket No. RP60-9]

MICHIGAN WISCONSIN PIPE LINE CO.

Order Suspending Proposed Revised Tariff Sheets and Providing for Hearing

MAY 6, 1960.

Michigan Wisconsin Pipe Line Company (Michigan Wisconsin) on April 6, 1960, pursuant to section 4 of the Natural Gas Act and the Commission's regulations thereunder, particularly Part 154 thereof (18 CFR Part 154), tendered for filing First Revised Sheets Nos. 5, 6, 7, 9, 10, 11, 13, 28 and 29 to its FPC Gas Tariff, Second Revised Volume No. 1.

The tariff changes contained in the tendered filing effect a general increase in rates and charges for sales in interstate commerce of natural gas for ultimate public consumption subject to the jurisdiction of the Commission under the Natural Gas Act. Michigan Wisconsin requests that the increased rates and charges be allowed to become effective as of May 7, 1960. Michigan Wisconsin also requests that, in the event the increased rates are suspended, they should be suspended to September 1, 1960, the beginning of the company's sales contract year.

The proposed tariff changes involve an annual increase in rates of $8,507,900 or 10.0 percent over present rates, for natural gas service to twenty-three existing customers based on sales for the year ended January 31, 1960, as adjusted.[1] The proposed increase in rates is in addition to the increased rates in effect subject to refund in Docket Nos. G-12292 and G-17512.

Michigan Wisconsin bases its proposed increase primarily on (1) the cost of rendering additional natural gas service in existing and new market areas as authorized in Commission Opinion No. 331 issued in Docket Nos. G-18313, et al., (2) periodic and spiral escalation increases in cost of gas purchased from Phillips Petroleum Company, (3) increased wages and taxes, (4) other adjustments to operating expenses "to reflect a normal year's * * * expense," and (5) use of 6¾ percent rate of return.

Michigan Wisconsin shows costs of $23,596,500 for gas purchased from Midwestern Gas Transmission Company (Midwestern) under Midwestern's proposed Rate Schedule CD-X-3. However, there is no showing at this time that Midwestern's Rate Schedule CD-X-3, as proposed in Docket Nos. G-18313, et al., will be found satisfactory to the Commission when filed. In addition, the increase in cost of gas purchased from Phillips Petroleum Company (Phillips) is shown to be $3,801,300. Of this amount, $1,665,700 is attributable to an increase which Phillips may file under a contract spiral escalation clause and is based on the increased rates of Michigan Wisconsin proposed in the instant filing.

Michigan Wisconsin allocates storage expense, annual depreciation expense and ad valorem taxes 100 percent to demand costs and return and income taxes more than 50 percent to demand costs. As a result, even though Michigan Wisconsin claims the proposed rates will result in a total revenue deficiency, it appears that demand revenues will exceed that portion of the claimed cost of service that is properly allocated to demand costs.

The increased rates and charges proposed in Michigan Wisconsin's tariff sheets have not been shown to be justified and may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is necessary and proper in the public interest, and to aid in the enforcement of the provisions of the Natural Gas Act, that the Commission enter upon a hearing concerning the lawfulness of the rates, charges, classifications, and services contained in Michigan Wisconsin's FPC Gas Tariff, Second Revised Volume No. 1, as proposed to be amended by First Revised Sheets Nos. 5, 6, 7, 9, 10, 11, 13, 28 and 29, and that the above-designated tariff sheets and the rates proposed therein be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) Pursuant to the authority of the Natural Gas Act, particularly sections 4 and 15 thereof, the Commission's rules of practice and procedure, and the regula-

[1] Concurring statement of Vice Chairman, Mr. Gurney, filed as part of original document.

[1] In addition, annual revenues of $3,751,300 would be collected under the proposed rates from initial sales in fifteen prospective market areas to be made by five existing and ten new customers. The filing also proposes changes in the annual contract quantity provisions in two rate schedules.

tions under the Natural Gas Act (18 CFR Ch. I), a public hearing will be held at a time and date to be fixed by notice from the Secretary of this Commission, concerning the lawfulness of the rates, charges, classifications, and services contained in Michigan Wisconsin's FPC Gas Tariff, Second Revised Volume No. 1 as proposed to be amended by First Revised Sheets Nos. 5, 6, 7, 9, 10, 11, 13, 28, and 29.

(B) Pending such hearing and decision thereon, the above-designated tariff sheets and the rates proposed therein are suspended and the use thereof deferred until October 7, 1960, and until such further time thereafter as they may be made effective in the manner prescribed by the Natural Gas Act.

(C) Interested State commissions may participate as provided by §§ 1.8 and 1.37 (f) of the Commission's rules of practice and procedure (18 CFR 1.8 and 1.37(f)). Persons seeking to intervene shall file their petitions to intervene within 45 days from the issuance of this order pursuant to § 1.8 of the Commission's rules of practice and procedure (18 CFR 1.8).

By the Commission.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 60-4372; Filed, May 13, 1960; 8:48 a.m.]

[Docket No. G-19182]

TENNESSEE GAS TRANSMISSION CO.

Notice of Application and Date of Hearing

MAY 10, 1960.

Take notice that on August 11, 1959, Tennessee Gas Transmission Company (Applicant) filed in Docket No. 19182 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the continued sales of natural gas to South Texas Natural Gas Gathering Company (South Texas) hitherto being made by Horace C. Hargrave, et al. (Hargrave) from various leases in the North Monte Christo Field, Hidalgo County, Texas, under two separate gas sales contracts each dated August 1, 1958, presently on file as Horace C. Hargrave, et al., FPC Gas Rate Schedule Nos. 1 and 2, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant proposes to continue the subject sales under the aforementioned contracts dated August 1, 1958, which have been ratified by Applicant. Applicant has acquired all of the leases dedicated to said contracts by assignment from Hargrave effective April 1, 1959.

Hargrave was granted certificate authorization to make the subject sales by Commission order issued December 1, 1959, in Docket Nos. G-17035 and G-17306 (In the Matters of Texas Illinois Natural Gas Pipeline Company, et al., Docket Nos. G-14829, et al.).

The subject sales will be made under Tennessee Gas Transmission Company FPC Gas Rate Schedules No. F-55 and F-56, filed concurrently with the application herein.

This matter is one that should be disposed of as promptly as possible under the applicable rules and regulations and to that end:

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on June 9, 1960, at 9:30 a.m., e.d.s.t., in a Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D.C., concerning the matters involved in and the issues presented by such application: *Provided, however,* That the Commission may, after a non-contested hearing, dispose of the proceedings pursuant to the provisions of § 1.30(c) (1) or (2) of the Commission's rules of practice and procedure. Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D.C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before May 31, 1960. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 60-4373; Filed, May 13, 1960; 8:48 a.m.]

INTERSTATE COMMERCE COMMISSION

[Rev. S. O. 562, Taylor's I.C.C. Order 114]

ANN ARBOR RAILROAD CO.

Diversion or Rerouting of Traffic

In the opinion of Charles W. Taylor, Agent, The Ann Arbor Railroad Company, account flood conditions affecting ferry service is unable to transport traffic offered it for movement via ferry at Manistique, Michigan: *It is ordered,* That:

(a) Rerouting traffic: The Ann Arbor Railroad Company, being unable to transport traffic offered for movement by ferry at Manistique, Michigan account flood conditions affecting ferry service is hereby authorized to disregard shippers routing and to divert and reroute such traffic over any available route to expedite the movement regardless of the routing shown on the waybill. The billing covering all such cars rerouted shall carry a reference to this order as authority for the rerouting.

(b) Concurrence of receiving roads to be obtained: The railroad desiring to divert or reroute traffic under this order shall confer with the proper transportation officer of the railroad to which such traffic is to be diverted or rerouted, and shall receive the concurrence of such other railroad before the rerouting or diversion is ordered.

(c) Notification to shippers: Each carrier rerouting cars in accordance with this order shall notify each shipper at the time each car is rerouted or diverted and shall furnish to such shipper the new routing provided under this order.

(d) Inasmuch as the diversion or rerouting of traffic by said Agent is deemed to be due to carrier's disability, the rates applicable to traffic diverted or rerouted by said Agent shall be the rates which were applicable at the time of shipment on the shipments as originally routed.

(e) In executing the directions of the Commission and of such Agent provided for in this order, the common carriers involved shall proceed even though no contracts, agreements, or arrangements now exist between them with reference to the divisions of the rates of transportation applicable to said traffic; divisions shall be, during the time this order remains in force, those voluntarily agreed upon by and between said carriers; or upon failure of the carriers to so agree, said divisions shall be those hereafter fixed by the Commission in accordance with pertinent authority conferred upon it by the Interstate Commerce Act.

(f) Effective date: This order shall become effective at 11:30 a.m., May 9, 1960.

(g) Expiration date: This order shall expire at 11:59 p.m., May 19, 1960, unless otherwise modified, changed, suspended or annulled.

It is further ordered, That this order shall be served upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and per diem agreement under the terms of that agreement and by filing it with the Director, Office of Federal Register.

Issued at Washington, D.C. May 9, 1960.

INTERSTATE COMMERCE COMMISSION,
CHARLES W. TAYLOR,
Agent.

[F.R. Doc. 60-4390; Filed, May 13, 1960; 8:50 a.m.]

[Notice 312]

MOTOR CARRIER TRANSFER PROCEEDINGS

MAY 11, 1960.

Synopses of orders entered pursuant to section 212(b) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 179), appear below:

As provided in the Commission's special rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings within 20 days from the date of publication of this notice. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by

petitioners must be specified in their petitions with particularity.

No. MC–FC 63029. By order of May 9, 1960, the Transfer Board approved the transfer to Evans Express Company, Inc., Schenectady, N.Y., of Certificate No. MC 62133, issued November 14, 1956, to Viggo Christensen and Evan E. Christensen, doing business as Evans Express Co., Schenectady, N.Y., authorizing the transportation of: Fresh meats and packinghouse products, over regular routes, from Schenectady, N.Y., to Herkimer, Glens Falls, and Hudson Falls, N.Y., serving all intermediate points on the designated highways; from Albany, N.Y., to Peekskill, Saratoga Springs, Middletown, and Troy, N.Y., serving all intermediate points on the designated highways; and between Schenectady, N.Y., and Albany, N.Y., serving intermediate points on designated highways; such general merchandise as is dealt in by wholesale, retail, and chain grocery and food business houses, and in connection therewith, equipment, materials, and supplies used in the conduct of such business, from New York, N.Y., to Glens Falls and Gloversville, N.Y., serving all intermediate points without restriction on designated highways, and the off-route points in the New York, N.Y., commercial zone, restricted to pick-up only, and from Albany, N.Y., over irregular routes, to Schenectady, Amsterdam, Johnstown, Gloversville, Cohoes, Troy, Saratoga Springs, Hudson Falls, Glens Falls, Ballston Spa, Kingston, Hudson, Poughkeepsie, Newburgh, and Peekskill, N.Y.; and general commodities, excluding household goods, commodities in bulk, and other specified commodities, between Albany, N.Y., and points within ten miles thereof on the one hand, and, on the other, points in the New York, N.Y., commercial zone. John J. Brady, Jr., 75 State Street, Albany 7, N.Y., for applicants.

No. MC–FC 63140. By order of May 9, 1960, the Transfer Board approved the transfer to Chemical Transport, Inc., Fortville, Ind., of Permit in No. MC 112769, issued November 29, 1951, to Harold G. Ecoff and Ward T. Ecoff, a partnership, doing business as Ecoff Brothers Trucking Company, Fortville, Ind., authorizing the transportation of: Sulphuric acid, in bulk, in tank vehicles, from Indianapolis, Ind., to Greenville, Ohio and points in Ohio within one mile of Greenville; and from Monsanto, Ill., to Indianapolis, Ind. Robert C. Smith, 512 Illinois Building, Indianapolis 4, Ind., for applicants.

No. MC–FC 63243. By order of May 6, 1960, the Transfer Board approved the transfer to F. H. D. Trucking, Inc., Hillside, N.J., of Certificates Nos. MC 21694, MC 21694 Sub 2, and MC 21694 Sub 3, all issued March 20, 1951, in the name of Delia De Vestern, doing business as F. H. D. Trucking Co., Hillside, N.J., authorizing the transportation of electrical equipment, over irregular routes, of electrical equipment, from Pittsburgh, Pa., to Newark, N.J.; from Newark, N.J., to specified points in Maine, Maryland, New Hampshire, New York, Vermont, Virginia, West Virginia, and points in Connecticut, Delaware, Massachusetts, New Jersey, Pennsylvania, Rhode Island, and the District of Columbia; electrical equipment for repair or service and supplies used in repairing electrical equipment, from the above specified destination points to Newark, N.J.; electrical equipment, except household electrical appliances, from Pittsburgh, Pa., to Hillside, N.J.; from Hillside, N.J., to specified points in Maine, Maryland, New Hampshire, Vermont, Virginia, and West Virginia and points in Connecticut, Delaware, Massachusetts, New Jersey, New York, Pennsylvania, Rhode Island, and the District of Columbia; and the above-described commodities, for repair or service, and supplies used in repairing electrical equipment, from the above-specified destination points to Hillside, N.J.; and electric and gas motors, between New York, N.Y., on the one hand, and, on the other, Philadelphia and Pittsburgh, Pa. Martin Werner, 2 West 45th Street, New York 36, N.Y., for applicants.

[SEAL] HAROLD D. McCOY,
Secretary.

[F.R. Doc. 60–4366; Filed, May 13, 1960; 8:47 a.m.]

[Ex Parte No. MC–59]

HAWAII

Motor Carrier Operation

MAY 10, 1960.

At the request of interested persons, the time for filing written statements of data, views, and argument in the above-entitled matter is extended further to June 13, 1960. The presently assigned date for filing such statements is May 23, 1960. Three copies of such statements should be filed with the Commission at its office at Washington, D.C.

By the Commission.

[SEAL] HAROLD D. McCOY,
Secreary.

[F.R. Doc. 60–4367; Filed, May 13, 1960; 8:47 a.m.]

HOUSING AND HOME FINANCE AGENCY

Office of the Administrator

REGIONAL DIRECTOR OF COMMUNITY FACILITIES ACTIVITIES, REGION II (PHILADELPHIA)

Redelegation of Authority With Respect to Housing for Educational Institutions

The Regional Director of Community Facilities Activities, Region II (Philadelphia), with respect to the program of loans for housing for educational institutions authorized under Title IV of the Housing Act of 1950, as amended (64 Stat. 77, as amended, 12 U.S.C. 1749–1749c), is hereby authorized within such region:

1. To execute loan agreements involving loans for student and/or faculty housing and/or dining facilities, and to amend or modify any such loan agreement;

2. To execute any loan agreement under the program in the amount approved by the Community Facilities Commissioner, and to amend or modify any such loan agreement.

This redelegation supersedes the redelegation effective December 1, 1959 (24 F.R. 9592, December 1, 1959).

(62 Stat. 1283 (1948), as amended by 64 Stat. 80 (1950), 12 U.S.C. 1701c; Housing and Home Finance Administrator's delegation effective April 9, 1960 (25 F.R. 3090, April 9, 1960, as corrected 25 F.R. 3198, April 13, 1960))

Effective as of the 14th day of May 1960.

[SEAL] CHESTER H. KNOWLES,
Regional Administrator, Region II.

[F.R. Doc. 60–4376; Filed, May 13, 1960; 8:49 a.m.]

REGIONAL DIRECTOR OF COMMUNITY FACILITIES ACTIVITIES, REGION II (PHILADELPHIA)

Redelegation of Authority With Respect to Public Facility Loans

The Regional Director of Community Facilities Activities, Region II (Philadelphia), with respect to the public facility loans program authorized under section 202 of Public Law 345, 84th Congress, as amended (69 Stat. 643, as amended, 42 U.S.C. 1492), is hereby authorized within such region:

1. To enter into contracts with public agencies involving loans for essential public works or facilities in amounts not exceeding $250,000, and to amend or modify any such contract provided that such amendment or modification does not increase the Federal loan beyond $275,000;

2. To enter into contracts with public agencies for loans for such public works or facilities in amounts approved by the Community Facilities Commissioner, and to amend or modify any such contract provided that such amendment or modification does not increase the amount of the Federal loan approved by the Commissioner by more than $25,000 or 10 percent, whichever is the lesser.

This redelegation supersedes the redelegation effective February 18, 1959 (24 F.R. 2417, March 27, 1959).

(62 Stat. 1283 (1948), as amended by 64 Stat. 80 (1950), 12 U.S.C. 1701c; Housing and Home Finance Administrator's delegation effective April 9, 1960 (25 F.R. 3090, April 9, 1960))

Effective as of the 14th day of May 1960.

[SEAL] CHESTER H. KNOWLES,
Regional Administrator, Region II.

[F.R. Doc. 60–4377; Filed, May 13, 1960; 8:49 a.m.]

REGIONAL DIRECTOR OF COMMUNITY FACILITIES ACTIVITIES, REGION II (PHILADELPHIA)

Redelegation of Authority With Respect to Public Works Planning

The Regional Director of Community Facilities Activities, Region II (Philadel-

phia), with respect to the program of advances for public works planning authorized under section 702 of the Housing Act of 1954 (68 Stat. 641), as amended by section 112 of the Housing Amendments of 1955 (69 Stat. 641), 40 U.S.C. 462, is hereby authorized within such region:

1. To execute offers to public agencies for planning projects involving advances in amounts not exceeding $30,000 per project, and to amend or modify contracts resulting from the acceptance of such offers provided that such amendments or modifications do not increase the Federal advances for any project beyond $30,000;

2. To execute offers to public agencies in amounts approved by the Community Facilities Commissioner for planning projects involving advances in excess of $30,000, and to amend or modify contracts resulting from the acceptance of such offers, except that any amendment or modification involving a substantial increase in the scope of a project or an increase in the amount of the Federal advance shall not be executed without the prior approval of the Community Facilities Commissioner;

3. To approve the planning data submitted by public agencies in accordance with contracts resulting from acceptance of offers under subparagraphs 1 or 2 above;

4. To authorize payments under any contracts resulting from acceptance of offers under subparagraphs 1 or 2 above.

This redelegation supersedes the redelegations effective February 18, 1959.

(62 Stat. 1283 (1948), as amended by 64 Stat. 80 (1950), 12 U.S.C. 1701c; Housing and Home Finance Administrator's delegation effective April 9, 1960 (25 F.R. 3090, April 9, 1960))

Effective as of the 14th day of May 1960.

[SEAL] CHESTER H. KNOWLES,
Regional Administrator, Region II.

[F.R. Doc. 60-4378; Filed, May 13, 1960; 8:49 a.m.]

REGIONAL DIRECTOR OF URBAN RENEWAL, REGION II (PHILADELPHIA)

Redelegation of Authority With Respect to Slum Clearance and Urban Renewal Program, Demonstration Grant Program, and Urban Planning Grant Program

The Regional Director of Urban Renewal, Region II (Philadelphia), Housing and Home Finance Agency, is hereby authorized within such Region to exercise all the authority delegated to the Regional Administrator by the Housing and Home Finance Administrator's delegation of authority effective December 23, 1954 (20 F.R. 428, Jan. 19, 1955), as amended, with respect to the slum clearance and urban renewal program authorized under Title I of the Housing Act of 1949, as amended (63 Stat. 414-421, as amended, 42 U.S.C. 1450-1460), and under section 312 of the Housing Act of 1954 (68 Stat. 629, 42 U.S.C. 1450 note), with respect to the demonstration grant program authorized under section 314 of the Housing Act of 1954 (68 Stat. 629, 42 U.S.C. 1452a), and with respect to the urban planning grant program authorized under section 701 of the Housing Act of 1954, as amended (68 Stat. 640, as amended, 40 U.S.C. 461), except those authorities which under paragraph 5 of such delegation may not be redelegated.

This redelegation supersedes the redelegation effective February 18, 1959 (24 F.R. 3308, April 28, 1959).

(62 Stat. 1283 (1948), as amended by 64 Stat. 80 (1950), 12 U.S.C. 1701c; Housing and Home Finance Administrator's delegation, as amended)

Effective as of the 14th day of May 1960.

[SEAL] CHESTER H. KNOWLES,
Regional Administrator, Region II.

[F.R. Doc. 60-4379; Filed, May 13, 1960; 8:49 a.m.]

REGIONAL DIRECTOR OF COMMUNITY FACILITIES ACTIVITIES, REGION V (FORT WORTH)

Redelegation of Authority With Respect to Housing for Educational Institutions

The Regional Director of Community Facilities Activities, Region V (Fort Worth), with respect to the program of loans for housing for educational institutions authorized under Title IV of the Housing Act of 1950, as amended (64 Stat. 77, as amended, 12 U.S.C. 1749-1749c), is hereby authorized within such region:

1. To execute loan agreements involving loans for student and/or faculty housing and/or dining facilities, and to amend or modify any such loan agreement;

2. To execute any loan agreement under the program in the amount approved by the Community Facilities Commissioner, and to amend or modify any such loan agreement.

(62 Stat. 1283 (1948), as amended by 64 Stat. 80 (1950), 12 U.S.C. 1701c; Housing and Home Finance Administrator's delegation effective April 9, 1960 (25 F.R. 3090, April 9, 1960, as corrected 25 F.R. 3198, April 13, 1960))

Effective as of the 14th day of May 1960.

[SEAL] JOHN A. FOSTER,
Regional Administrator, Region V.

[F.R. Doc. 60-4380; Filed, May 13, 1960; 8:49 a.m.]

REGIONAL DIRECTOR OF COMMUNITY FACILITIES ACTIVITIES, REGION V (FORT WORTH)

Redelegation of Authority With Respect to Public Facility Loans

The Regional Director of Community Facilities Activities, Region V (Fort Worth), with respect to the public facility loans program authorized under section 202 of Public Law 345, 84th Congress, as amended (69 Stat. 643, as amended, 42 U.S.C. 1492), is hereby authorized within such region:

1. To enter into contracts with public agencies involving loans for essential public works or facilities in amounts not exceeding $250,000, and to amend or modify any such contract provided that such amendment or modification does not increase the Federal loan beyond $275,000;

2. To enter into contracts with public agencies for loans for such public works or facilities in amounts approved by the Community Facilities Commissioner, and to amend or modify any such contract provided that such amendment or modification does not increase the amount of the Federal loan approved by the Commissioner by more than $25,000 or 10 percent, whichever is the lesser.

(62 Stat. 1283 (1948), as amended by 64 Stat. 80 (1950), 12 U.S.C. 1701c; Housing and Home Finance Administrator's delegation effective April 9, 1960 (25 F.R. 3090, April 9, 1960))

Effective as of the 14th day of May 1960.

[SEAL] JOHN A. FOSTER,
Regional Administrator, Region V.

[F.R. Doc. 60-4381; Filed, May 13, 1960; 8:49 a.m.]

REGIONAL DIRECTOR OF COMMUNITY FACILITIES ACTIVITIES, REGION V (FORT WORTH)

Redelegation of Authority With Respect to Public Works Planning

The Regional Director of Community Facilities Activities, Region V (Fort Worth), with respect to the program of advances for public works planning authorized under section 702 of the Housing Act of 1954 (68 Stat. 641), as amended by section 112 of the Housing Amendments of 1955 (69 Stat. 641), 40 U.S.C. 462, is hereby authorized within such region:

1. To execute offers to public agencies for planning projects involving advances in amounts not exceeding $30,000 per project, and to amend or modify contracts resulting from the acceptance of such offers provided that such amendments or modifications do not increase the Federal advances for any project beyond $30,000;

2. To execute offers to public agencies in amounts approved by the Community Facilities Commissioner for planning projects involving advances in excess of $30,000, and to amend or modify contracts resulting from the acceptance of such offers, except that any amendment or modification involving a substantial increase in the scope of a project or an increase in the amount of the Federal advance shall not be executed without the prior approval of the Community Facilities Commissioner;

3. To approve the planning data submitted by public agencies in accordance with contracts resulting from acceptance of offers under subparagraphs 1 or 2 above;

4. To authorize payments under any contracts resulting from acceptance of offers under subparagraphs 1 or 2 above.

(62 Stat. 1283 (1948), as amended by 64 Stat. 80 (1950), 12 U.S.C. 1701c; Housing and Home Finance Administrator's delegation effective April 9, 1960 (25 F.R. 3090, April 9, 1960))

Effective as of the 14th day of May 1960.

[SEAL] JOHN A. FOSTER,
Regional Administrator, Region V.

[F.R. Doc. 60-4382; Filed, May 13, 1960; 8:49 a.m.]

REGIONAL DIRECTOR OF URBAN RENEWAL, REGION V (FORT WORTH)

Redelegation of Authority With Respect to Slum Clearance and Urban Renewal Program, Demonstration Grant Program, and Urban Planning Grant Program

The Regional Director of Urban Renewal, Region V (Fort Worth), Housing and Home Finance Agency, is hereby authorized within such Region to exercise all the authority delegated to the Regional Administrator by the Housing and Home Finance Administrator's delegation of authority effective December 23, 1954 (20 F.R. 428, Jan. 19, 1955), as amended, with respect to the slum clearance and urban renewal program authorized under Title I of the Housing Act of 1949, as amended (63 Stat. 414-421, as amended, 42 U.S.C. 1450-1460), and under section 312 of the Housing Act of 1954 (68 Stat. 629, 42 U.S.C. 1450 note), with respect to the demonstration grant program authorized under section 314 of the Housing Act of 1954 (68 Stat. 629, 42 U.S.C. 1452a), and with respect to the urban planning grant program authorized under section 701 of the Housing Act of 1954, as amended (68 Stat. 640, as amended, 40 U.S.C. 461), except those authorities which under paragraph 5 of such delegation may not be redelegated.

This redelegation supersedes the redelegation effective January 18, 1960, which superseded the redelegations effective January 19, 1955 (20 F.R. 844, Feb. 9, 1955), November 14, 1955 (20 F.R. 8734, Nov. 26, 1955), and April 24, 1957 (22 F.R. 4425, June 22, 1957).

(62 Stat. 1283 (1948), as amended by 64 Stat. 80 (1950), 12 U.S.C. 1701c; Housing and Home Finance Administrator's delegation, as amended)

Effective as of the 14th day of May 1960.

[SEAL] JOHN A. FOSTER,
Regional Administrator, Region V.

[F.R. Doc. 60-4383; Filed, May 13, 1960; 8:49 a.m.]

DEPARTMENT OF JUSTICE

Office of Alien Property

ERNST WILHELM VOIGT

Intention To Return Vested Property

Pursuant to section 32(f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of publication hereof, the following property, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Property, and Location

Ernst Wilhelm Voigt, Hanover, Germany; Claim No. 42358, Vesting Order Nos. 1505, as amended, and 7601; An undivided one-sixth interest in the following property:

All that tract or parcel of land, consisting of two thousand five hundred and sixty (2,560) acres of land, situated in the County of Kern, State of California, particularly described as follows:

All of Section 4; E½ and NW¼ of Section 5; and NE¼ of Section 6, all in Township 28 South, Range 20 East, Mount Diablo Base and Meridian, in the County of Kern, State of California; and

All of Sections 32 and 33 in Township 27 South, Range 20 East, Mount Diablo Base and Meridian, in the County of Kern, State of California.

An undivided one-sixth interest in the following oil and gas lease and any and all mesne assignments:

An oil and gas lease executed on May 28, 1940 by and between Charlotte Marie Stockhausen, et al., as Lessors and B. Milo Mitchel as Lessee covering certain land situated in the County of Kern, State of California, described as follows:

The Northeast Quarter (NE¼) of Section Six (6), Northwest Quarter (NW¼) of Section Five (5), Township Twenty-eight (28) South, Range Twenty (20) East, and the West Half (W½) of Section Thirty-two (32), Township Twenty-seven (27) South, Range Twenty (20) East, M. D. B. & M., containing 640 acres, more or less;

Said lease being recorded on June 13, 1940 in Book 949, Page 120, of the Official Records of Kern County, State of California; and

An undivided one-fifth interest in the following oil and gas lease and any and all mesne assignments:

An oil and gas lease executed on September 14, 1951 by and between the Attorney General of the United States of America as Lessor and Intex Oil Company, a California corporation, as Lessee covering an undivided five-sixths (⅚ths) interest in or under the tract of land situated in the County of Kern, State of California, described as follows:

All of Section 4 and the E½ of Section 5 in Township 28 South, Range 20 East, M. D. B. & M., containing approximately 945.60 acres;

Said lease being recorded in Book 1844, Page 370, of the Official Records of Kern County, California.

$188,460.38 in the Treasury of the United States.

Executed at Washington, D.C., on May 9, 1960.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

[F.R. Doc. 60-4357; Filed, May 13, 1960; 8:46 a.m.]

CUMULATIVE CODIFICATION GUIDE—MAY

The following numerical guide is a list of the parts of each title of the Code of Federal Regulations affected by documents published to date during May.

Announcement

CFR SUPPLEMENTS

(As of January 1, 1960)

The following Supplements are now available:

Title 7, Parts 210–399, Revised	$4.00
Title 21	1.50
Title 32, Parts 1–399	2.00
Parts 400–699	2.00
Title 35, Revised	3.50
Title 37, Revised	3.50
Title 39	1.50

Previously announced: Title 3 ($0.60); Titles 4–5 ($1.00); Title 7, Parts 1–50 ($0.45); Parts 51–52 ($0.45); Parts 53–209 ($0.40); Title 8 ($0.40); Title 9 ($0.35); Titles 10–13 ($0.50); Title 18 ($0.55); Title 20 ($1.25); Titles 22–23 ($0.45); Title 25 ($0.45); Title 26 (1939), Parts 1–79 ($0.40); Parts 80–169 ($0.35); Parts 170–182 ($0.35); Parts 300 to End ($0.40); Title 26, Part 1 (§§ 1.01–1.499) ($1.75); Parts 1 (§ 1.500 to End)–19 ($2.25); Parts 20–169 ($1.75); Parts 170–221 ($2.25); Part 300 to End ($1.25); Titles 28–29 ($1.75); Titles 30–31 ($0.50); Title 32, Parts 700–799 ($1.00); Parts 800–999, Revised ($3.75); Part 1100 to End, ($0.60); Title 33 ($1.75); Title 36, Revised ($3.00); Title 38 ($1.00); Title 43 ($1.00); Title 46, Parts 1–145 ($1.00); Parts 146–149, Revised ($6.00); Part 150 to End ($0.65); Title 47, Parts 1–29 ($1.00); Part 30 to End ($0.30); Title 49, Parts 1–70 ($1.75); Parts 91–164 ($0.45); Part 165 to End ($1.00); Title 50 ($0.70).

Order from the Superintendent of Documents, Government Printing Office, Washington 25, D.C.